



LAND PROTECTION PLAN

LAND PROTECTION PLAN

INTRODUCTION

In May 1982 the Department of Interior issued a policy statement for use of the federal portion of the Land and Water Conservation Fund for land acquisition. In response to that policy, this draft land protection plan has been prepared under the guiding principle of ensuring that the protection of resources in Cape Krusenstern National Monument is consistent with the Alaska National Interest Lands Conservation Act (ANILCA) and other applicable laws, executive orders, regulations, and policies. Specifically the plan was prepared to

Determine what nonfederal lands or interests in nonfederal lands inside the monument boundary need to be in public ownership and what means of protection in addition to acquisition are available to achieve the monument's purpose as established by Congress.

Inform landowners about the intentions of the National Park Service to protect land through purchase or other means.

Help managers identify priorities for making budget requests and allocating available funds to protect land and other resources.

Find opportunities to help protect unit resources through cooperative agreements with state or local governments, native corporations, interested groups or organizations, landowners and the private sector.

The major elements to be addressed by this plan include (1) the identification of nonfederal lands within the monument's boundaries that need to be protected, (2) the minimum interest in those lands that the National Park Service must acquire to assure protection, (3) the recommended means of acquiring the lands or interests in lands, (4) the priorities for protection to assure that available funds are used to protect the most important resources, (5) the impacts of the land protection plan on local residents, (6) the amount, type, and density of private use or development that can take place without harming monument resources, and (7) the external activities that have or may have effects on monument resources and land protection requirements.

This plan represents the first formal attempt to address land protection issues related to the monument. These issues are presented in chapter 1 of this document. Because of continuing change in the status of many of the nonfederal lands, the recommendations in this plan should be viewed as tentative. They are expected to be formally reviewed every two years by the superintendent to determine if conditions have changed. Recommendations may be revised in updated land protection plans. As changes are needed, all affected landowners and the general public will be notified and provided an opportunity to comment on the proposed changes. In addition, more needs to be known about the cultural resources on nonfederal lands within the monument. As more information is gathered and the significance of the

resources is determined, the priorities may change to reflect this information.

The land protection plan does not constitute an offer to purchase lands or interests in lands and it does not diminish the rights of nonfederal landowners. The plan is intended to guide the National Park Service in subsequent land protection activities subject to the availability of funds and other constraints and to inform the public about the National Park Service intentions.

National Environmental Policy Act (NEPA) requirements for proposals in this plan related to native corporation lands and state lands will be fulfilled at a later date when, and if, conceptual agreements are reached with these landowners. The effects of land exchanges can be evaluated only when both the lands to be acquired and the lands to be removed from federal ownership are identified. This land protection plan currently identifies only the lands (or interests in lands) to be acquired. Environmental assessments and or environmental impact statements will be prepared prior to the implementation of any land exchange, with the exception of land exchanges involving the conveyance of lands to native corporations that fulfill entitlements under the terms of ANCSA, as provided for by ANILCA, section 910.

Other actions proposed in the land protection plan would cause no significant change in existing land or public use and are therefore categorically excluded from NEPA considerations, in accordance with the U.S. Department of the Interior implementing procedures (516 DM6, Appendix 7.4 and 516 DM2, Appendix 2). Proposed actions for small tracts and submerged state lands are included in this category.

Consistent with current policies on implementation of ANILCA, section 810, evaluations will be prepared on any proposals in this land protection plan that require the preparation of environmental assessments and or environmental impact statements, or any proposals that would result in the removal of lands (or interests in lands) from federal ownership.

It should be noted that the appropriation of funds for land acquisition is expected to be very limited for the next five years. Therefore, the purchase of nonfederal lands in the monument during this period is expected to be minimal.

The land protection plan will be reviewed every two years by the superintendent to determine if revisions are required. The superintendent will maintain current land status information, which will be available for review at the monument headquarters. If the plan requires revision other than routine updating of land status information, all affected landowners and the general public will be notified and provided a 60-day public comment period.

Table 4: Summary of Land Protection Plan Information and Recommendations

1.	<u>CURRENT OWNER</u>	<u>Acres</u>	<u>Percent of Monument</u>
	Federal (includes selections* by native corporations and individuals)	616,768	93%
	Nonfederal (native corporations, state and individuals)	<u>43,039</u>	<u>7%</u>
	Total	659,807	100%
	*Not all lands selected by native corporations are expected to be conveyed since their selections have exceeded total acreage entitlements.		
2.	<u>ACREAGE TO BE PROTECTED</u>	88,979	13%
3.	<u>PROPOSED METHODS OF PROTECTION</u>		
	a.) Fee-simple acquisition (exchange, donation, purchase or relinquishment)	3,723	
	b.) Easements	10,624	
	c.) Cooperative agreement/Alaska Land Bank	74,632	
4.	<u>STATUTORY ACREAGE CEILING:</u> There is no acreage ceiling for the monument. Up to 23,000 acres may be added to or deleted from the monument (ANILCA, section 103 b). In addition, the secretary may acquire private lands or designate other federal lands from outside of the monument, not to exceed 7,500 acres, which contain significant archeological or paleontological resources closely related to the monument (ANILCA, section 1304).		
5.	<u>FUNDING STATUS</u>		
	Authorized: \$900,000*		
	Appropriated: \$900,000*		
	Obligated: \$900,000*		
	*Shared between the three northwest area park units.		
6.	<u>TOP PRIORITIES:</u> The top priorities consist of native allotments between the outlet of Krusenstern Lagoon (Tukrok River) on the south and Battle Rock on the north, including the allotments on Cape Krusenstern itself. The primary reason for creating the monument was to protect the known significant cultural resources on the beach ridges at the cape. Some of the allotments are believed to lie atop known major cultural resources, while others are suspected to be located where there is a high probability of significant cultural resources.		

PURPOSE OF THE MONUMENT AND RESOURCES TO BE PROTECTED

Significance

Cape Krusenstern National Monument was created primarily for the following reasons:

To protect and interpret a series of archeological sites depicting every known cultural period in arctic Alaska; to provide for scientific study of the process of human population of the area from the Asian continent; in cooperation with Native Alaskans, to preserve and interpret evidence of prehistoric and historic Native cultures; to protect habitat for seals and other marine mammals; to protect habitat for and populations of, birds and other wildlife, and fish resources; and to protect the viability of subsistence resources. Subsistence uses by local residents is to be permitted in the monument in accordance with the provisions of Title VIII (ANILCA, section 201{3}).

Mandates for management of the monument are discussed further in chapter I of the general management plan.

Because of the national and international significance of the prehistoric sites in the monument the entire area is included in the much larger Cape Krusenstern Archeological District, is on the National Register of Historic Places, and is a National Historic Landmark. The monument has also been placed on the list of potential World Heritage Cultural Parks and could be only the second U.S. national park on the world list. Additionally, a portion of the monument (Cape Krusenstern and the Igichuk Hills) totalling some 209,360 acres has been identified as a potential national natural landmark in recognition of resource values (Department of the Interior 1981).

Resource Description

The monument has been recognized primarily for its archeological resources. The cape's bluffs and its series of 114 beach ridges, the primary area of known cultural resources, show the changing shorelines of the Chuckchi Sea and contain a record in chronological order of an estimated 8,000 years of prehistoric and historic uses of northwest Alaska's coastline. Other significant resources include habitat for a variety of birds, wildlife, and marine mammals.

Nesting by arctic peregrine falcons within the monument has been reported. Although the total extent of nesting is unclear, the area is not considered to be one of the more important peregrine nesting areas. No other threatened or endangered species are known to occur within the monument.

The monument's resources are more fully described and mapped in chapter II "Affected Environment" of the general management plan.

Legislative Authorities

ANILCA provides a general framework for land protection in the monument. The secretary of the interior is authorized to acquire (by purchase, donation, exchange or otherwise) any lands or interests in lands within the monument. However, any lands or interests in lands owned by the state, local governments, or by native village and regional corporations may be acquired only with the consent of the owners unless the secretary determines that the land is no longer used for the purpose for which it was conveyed and is now being used in a manner incompatible with the purpose of the monument.

Native allotments or other small tracts may be acquired without consent but only after an offer exchange for other public lands with similar characteristics and like values (if such lands are available outside of the monument) and a refusal to accept the exchange by the owner.

In recognition of the Bureau of Indian Affairs' (BIA) responsibility to owners of native allotments, the National Park Service will notify the BIA before taking actions relating to native allotments, such as securing agreements, acquiring easements, acquiring fee-simple title, or leasing the property for administrative purposes.

No improved property will be acquired without the consent of the owner unless an acquisition is necessary for protection of resources or for protection of those monument values listed in ANILCA. When an owner of improved property consents to exchange lands or to sell to the United States, the owner may retain certain property rights including the right of use and occupancy for noncommercial residential and recreational use for a period of up to 25 years or for life by agreement with the National Park Service.

Potential additions to the monument by exchange with the state pursuant to section 1302(i) of ANILCA or boundary adjustments or additions pursuant to section 103(b) will be designated as monument. Potential acquisitions within the monument will similarly be designated as monument. For additions to the monument beyond the 23,000-acre limit of section 103(b), congressional action would be required. Public and congressional notification and review of proposed additions pursuant to sections 1302(i) and 103(b) will be provided as appropriate. The compliance requirements of NEPA and ANILCA will be fulfilled in the case of administrative boundary adjustments.

Additions to the monument or acquisitions that are within any future congressionally established wilderness boundary will automatically become wilderness upon acquisition pursuant to section 103(c) of ANILCA.

Lands added or acquired will be managed in the same manner as other unit lands of the same designation.

Section 1304 of ANILCA authorizes the secretary to designate other federal lands or acquire, with consent of the owner, lands that contain significant archeological or paleontological resources closely related to the monument. Such acquisitions may not exceed 7,500 acres from outside the boundaries.

Section 205 of ANILCA protects valid commercial fishing rights or privileges within the monument. The secretary may take no action to unreasonably restrict these rights and privileges, including the use of public lands for campsites, cabins, motorized vehicles, and aircraft landings on existing airstrips except where the secretary finds a significant expansion of the use of monument lands beyond the 1979 level of such use.

In addition to complying with these legislative and administrative requirements, the National Park Service is required to administer the area as a unit of the national park system pursuant to the provisions of the act of August 25, 1916 (39 Stat. 535, National Park Service organic act) as amended and supplemented, and in accordance with the provisions of Title 16 of the United States Code, Title 36 of the Code of Federal Regulations, and other applicable laws. The National Park Service has proprietary jurisdiction over federally owned lands in the monument.

State, native, and other private lands within the boundaries are not subject to regulations applicable solely to federal lands. If later conveyed to the federal government, these lands will become part of the monument and then be subject to those regulations.

Resource Management and Visitor Use Objectives

Objectives for management of the monument are listed in appendix E. Major objectives include identifying, evaluating, and protecting cultural resources; managing natural resources to perpetuate biological processes and systems; providing for better understanding of and appreciation for the area; and allowing traditional uses, including subsistence, consistent with the foregoing values.

LANDOWNERSHIP AND USES

The majority of the monument is already in federal ownership; however, up to 13 percent of the lands could become private as a result of existing land selections. Most of the monument is used primarily for subsistence activities. Uses of the monument are described in chapter II.

In various portions of the monument, the regional corporation, NANA, and native village corporations of Kotzebue, Kivalina, and Noatak have selected 43,156 acres (see Land Status map).^{*} (These selections are subject to ANCSA 17 1(b) easements.) Some of the same lands have been selected by both NANA Regional Corporation and the village corporations. Not all of the acreage selected by the various native corporations is expected to be conveyed

^{*}The village corporations of Kivalina and Noatak, but not Kotzebue, along with all others in the region, have consolidated with NANA into one corporation. For the discussion of land status in this plan, each village is listed separately, as appropriate, because land records record facts in this way.

LAND STATUS

Cape Krusenstern National Monument

United States Department of the Interior
National Park Service

183 80004A
ARO JAN 87



- ▲ SMALL TRACT ENTRIES
- CEMETERY SITES & HISTORIC PLACES
- APPLICATION
- ⊙ OVERLAPPING SMALL TRACTS
& HISTORIC PLACES
- NATIVE REGIONAL CORPORATION
- APPLICATION
- ▨ NATIVE VILLAGE CORPORATION
- APPLICATION
- ◻ NATIVE REGIONAL CORPORATION
- PATENT & IC'D
- ◻ NATIVE VILLAGE CORPORATION
- PATENT & IC'D
- STATE LAND
- ▨ LANDS THAT MAY BE CONVEYED TO NANA
- ▨ TRANSPORTATION SYSTEM LAND EASEMENT
(100-YEAR)
- ⊙ LIMITED SUBSURFACE ESTATE
OWNED BY NANA
- ◻ POTENTIAL USE OF SUBSURFACE ESTATE
BY NANA
- 17(b) EASEMENT (TRAIL)
- - - TRAIL EASEMENT

T28N

Walik River

T27N

KIVALINA

T26N

T25N

T24N

T23N

T22N

T21N

T20N

T19N

T18N

NOATAK

Noatak River

RV

KOTZEBUE

R24W

R23W

R22W

R21W

R20W

R19W

NOTE: LAND STATUS IS SUBJECT TO CHANGE AS VARIOUS CONDITIONS AFFECTING LAND STATUS ARE RESOLVED (FOR EXAMPLE, NAVIGABILITY DETERMINATIONS, STATE & NATIVE LAND CONVEYANCES, REJECTIONS OR RELINQUISHMENTS, RIGHTS-OF-WAY, EASEMENTS & SMALL TRACT ADJUDICATIONS). BEDS OF INLAND NAVIGABLE RIVERS AND LAKES, TIDELANDS, AND SUBMERGED LAND BENEATH MARINE WATERS ARE STATE OWNED.

because the corporations were allowed to exceed their entitlements when making the original selections. NANA has also applied for 16 historical places and cemetery sites throughout the monument. All of these selections are pursuant to the Alaska Native Claims Settlement Act of 1971 and have been applied for on the basis that these sites contain native cemeteries or sites of historic value. The state has selected 353 acres within the monument.

The state of Alaska contends that certain rights-of-way may be valid under RS 2477 (see discussion in "Access" section of chapter III). The validity of these rights-of-way has not been determined. Any valid rights-of-way will be included in future land protection plans as nonfederal interests and appropriate protection strategies will be identified. Lastly, applications for 32 native allotments comprising 2,630 acres are pending adjudication; 52 allotments comprising 7,209 acres have been approved or certificated. The majority of native allotments are concentrated along the coastline (see the Land Status map). They are used predominately as base camps for subsistence activities. These uses are expected to continue and to slowly increase. For a more detailed description of these uses see chapter II.

The following table presents landownership acreages and the land status within the monument.

Compatibility of Land Uses

The National Park Service is required to examine existing and potential uses of nonfederal lands within the monument to determine if these uses are compatible with the purposes for which the monument was established (ANILCA, section 1301).

The following lists of compatible and incompatible uses of nonfederal lands in the monument are presented to publicly inform landowners which uses of nonfederal lands are generally compatible with the purposes of the monument and which uses will cause the National Park Service to initiate actions to protect monument resources and values. These lists are intended to serve as general guidelines for both monument managers and nonfederal landowners. Because all possible uses of nonfederal lands can not be anticipated, and other compatible and incompatible uses may exist, the following lists of uses cannot be considered all-inclusive.

Compatible. Compatible uses are:

1. Use of lands for residential, recreational, or subsistence activities that do not adversely impact wildlife or other values on adjacent federal lands.
2. Repair, replacement, or minor modification of existing structures whose appearance blends with the undeveloped character of adjacent federal lands.
3. Limited construction of new structures whose appearance blends with the undeveloped character of adjacent federal lands.

Table 5: Land Status, Cape Krusenstern National Monument*

<u>Federal Lands</u>	<u>Acres</u>	<u>Acres</u>
Federal lands with no encumbrances		504,458
Federal lands with encumbrances		
Lands under regional and village corporation applications	104,091	
Lands under 14(h)(1) applications	5,589	
Lands under native allotment applications	<u>2,630</u>	
Subtotal, federal lands with encumbrances		<u>112,310</u>
Total federal lands		616,768
 <u>Nonfederal Lands</u>		
Native regional and village corporation (patent and interim conveyance)	25,382	
Native allotments (approved and certificated)	7,209	
State lands	353	
State navigable waters	<u>10,095</u>	
Subtotal, nonfederal lands		<u>43,039</u>
Gross acreage, nonfederal lands		659,807

*Acreages are approximate and subject to change as various conditions affecting land status are resolved (for example, navigability determinations; state and native land conveyances, rejections or relinquishments; rights-of-way, easement, and small tract adjudication) and as surveys are completed.

4. Commercial fishing activities that do not constitute a significant expansion of the use of monument lands beyond the level of use during 1979.

Some uses of nonfederal lands that would be incompatible with the cultural, ecological, and recreational values of the monument include the following:

Incompatible. Incompatible uses are:

1. Activities that damage or contribute to damage of archeological or historical resources (e.g., increased recreational use, artifact collection, new construction).
2. Activities that result in water pollution, sedimentation, or other impairment of fish spawning, rearing, feeding, and overwintering habitat or other surface or ground waters (e.g., logging, mining, waste disposal).
3. Construction of roads and airstrips and other surface disturbances that disrupt drainage patterns, accelerate erosion, and increase runoff and sediment loads or that unduly change the visual character of the monument.
4. Activities that impair wildlife's use of habitat on adjacent federal lands (e.g., substantial human population increase and habitat manipulations affecting distribution of wildlife).
5. Hunting or trapping that impairs the natural condition of wildlife populations on adjacent federal lands.
6. Disposal of refuse in a manner that attracts bears, pollutes water resources, or otherwise impairs public health and safety.
7. Blocking public access when and where no other viable options for public access occur (e.g., no easements to key beach areas or other features).
8. Major new commercial development or subdivision of land that would promote major land use changes.

External Conditions Affecting Land Protection

Section 1301(b)(8) of ANILCA requires the general management plan to consider the relationship between management of the monument and activities being carried out, or proposed for surrounding areas. Many activities and several plans may affect land use and or protection of resources within the monument. The lands surrounding the monument are available for a variety of uses. They are described in chapter I of the general management plan. A brief discussion of activities that may occur follows.

The Red Dog mine site, some 25 miles northeast of the monument, has proven economic quantities of lead and zinc. There is considerable interest on the part of the state of Alaska and NANA to develop the mine. A 100-year

easement for a road through the monument was authorized by the Congress on September 25, 1985. The easement allows for construction of a road that crosses 25 miles of the monument's northern half.

The zinc and lead deposits may eventually support a mining operation employing up to 400 people. Some of these workers may use the monument for subsistence and recreation because at least half of them are to be hired from the region; however, increased use from this group is expected to be small because of the proposed two-week-on/two-week-off, 12-hour-per-day work schedules and limited access to the monument.

The Ambler/Bornite mining districts in the Kobuk River drainage may result in the influx of additional people and a new transportation corridor into the region in the future, although present activity in the district is very limited. In cases such as these the National Park Service will work with the developers to mitigate any adverse impacts that these activities and/or their secondary effects would have on monument resources.

The NANA Regional Strategy (revised 1985) is a 10-year plan for the overall development of NANA lands. The strategy stresses the subsistence-based culture, improvement of the standard of living for NANA stockholders, strengthening the spirit and pride of the Inupiat people, and developing local management capability and local control. Numerous opportunities are identified such as the Noatak salmon hatchery, secondary service businesses to mineral companies, local processing of resources, management of growth and development to minimize impacts, and developing training programs that blend traditional values and modern management techniques. The National Park Service is a member of the NANA Regional Strategy Lands Task Force and will continue to work closely with NANA and other agencies and groups in the preparation and implementation of their respective land management plans.

The draft NANA region coastal zone management plan is another regional plan that provides "for the balanced protection of natural systems and cultural values" (Darbyshire and Associates, 1982). The draft plan identifies several key geographical areas of biological, cultural, and industrial importance in or near the monument. The National Park Service has provided technical information and testimony in the preparation of the NANA coastal zone management plan and intends to be consistent with it to the extent practical in managing the monument consistent with federal law.

Proposed off-shore oil and gas leases by the state of Alaska and the Minerals Management Service include the following tracts and areas: state of Alaska--Icy Cape #53, September 1987; Hope Basin #45, May 1989; and Offshore Icy Cape #58, September 1989; MMS, OCS--Barrow Arch #85, February 1985 and #109, February 1987. Except for the Squirrel River corridor, the BLM-managed lands in the region are open to oil and gas leases as well as mineral entry. However, pending litigation may affect the status of BLM lands in the region.

The Western Arctic Alaska and Transportation Study (WAATS) identified three utility corridors along the Kobuk River between the Ambler mining district and Cape Krusenstern that could affect the monument. These are discussed in the "Uses, Activities, and Trends on Adjacent Lands" section in chapter II and under future transportation corridors in the "Proposed Facilities in the

Monument" section in chapter III; they are also identified on the External Influences map in this chapter. There are no plans at present to develop any of these corridors. If a corridor is formally proposed, the National Park Service will work closely with the applicant and follow the procedural requirements of Title XI of ANILCA.

In 1985 the state of Alaska started a comprehensive land use plan for state lands in northwest Alaska. The plan will identify state lands and waters suitable for resource development, settlement, and resource conservation. The National Park Service intends to work closely with the state in the preparation of its plan, especially for those lands adjacent to the monument.

Other external influences include activities in the conservation system units surrounding the monument. These include Kobuk Valley National Park, Selawik National Wildlife Refuge, and Noatak National Preserve (see External Influences map).

Past Acquisition Activities and Current Protection Program

Since the monument's establishment in 1978, one land exchange and one purchase of land has occurred. The exchange between the United States and the NANA Corporation is referred to as "Terms and Conditions Governing Legislative Land Consolidation and Exchange between the NANA Regional Corporation, Inc., and the United States of America as amended by the Act of September 25, 1985," Public Law 99-96, 99 Stat. 460-464 (ANCSA, sections 34 & 35). The purchase was for a tract of land in Kotzebue consisting of three city lots. It was acquired in 1986 for administrative purposes by the National Park Service.

This plan is the first to prioritize a land protection program for the monument. The National Park Service encourages landowners who wish to sell properties (inside the monument) to contact the National Park Service to see if the Service is interested in acquisition.

Kikiktagruk Inupiat Corporation Proposed Land Exchange. KIC has proposed to exchange two sections of land, (1,280 acres) within Bering Land Bridge National Preserve for an equal area of land within Cape Krusenstern National Monument near Sheshalik Spit. The KIC lands in Bering Land Bridge is undeveloped. This is the site of an unsuccessful oil well exploration in 1978. The lands proposed for exchange in the monument are on the coastline between Aukuluk and Krusenstern lagoons and lie between native allotments in the area. The National Park Service will continue to discuss the proposal for a land exchange with KIC to see if a mutually agreeable exchange can be developed.

Sociocultural Characteristics

About 13 percent of the monument has been selected for or is currently in private ownership by native residents or corporations of northwest Alaska. Most of this land was selected by the villages of Noatak, Kivalina and Kotzebue and the regional corporation, NANA. Their selections are in the northwest, east, and southeast portions of the monument with native allotments scattered mostly along the coastline. There are at least two

year-round residents of the monument. Most corporation shareholders or allottees reside in Noatak, Kivalina, or Kotzebue and use the land area intermittently for subsistence, depending upon availability of the different plant and animal species. There are no known plans for changes in the subsistence use of these lands. Subsistence activities are discussed further in chapters II and III of the general management plan and in appendix C.

NANA Corporation is seeking to develop the Red Dog Mine in order to provide a broader economic base for the region.

PROTECTION ALTERNATIVES

The following six alternatives offer varying degrees of protection to the cultural and natural environment of the monument's nonfederal and adjoining federal lands. Each alternative is analyzed with respect to its a) application, b) sociocultural impacts, and c) effectiveness in land protection.

Agreements and Alaska Land Bank

Agreements are legal instruments defining arrangements between two or more parties, which can provide for the transfer of services, money or other benefits from one party to another.

ANILCA, section 907 established the Alaska Land Bank program to provide legal and economic benefits to private landowners and to provide for the maintenance of land in its natural condition, particularly where these nonfederal lands relate to conservation system units. Native corporation lands (but not small patented tracts) will have immunity from adverse possession, real property taxes, and assessments when brought into the land bank. They will also be immune from judgment in any action of law or equity to recover sums owed or penalties incurred by any native corporation or group or any officer, director, or stockholder of the corporation or group.

The National Park Service realizes that its finding in the "Wilderness Suitability Review" (chapter VI), which says that much of the federal lands in the monument is suitable for wilderness, could potentially conflict with native corporate interest in utilizing the land bank program. Because of the special wilderness provisions in ANILCA (sections 1315, 1316, and 1317), the National Park Service believes that future uses of native corporation lands will be compatible with adjacent wilderness management.

Application. Some of the elements that could be addressed in an agreement include: each landowner's land management responsibilities, access for resource management activities, fire management, law enforcement, trespass control, enforcement of environmental protection laws, access for public use, maintenance of land in its natural condition, and exclusion of specific uses or activities.

Agreements and the land bank could also be used as an interim protective measure when long-term goals could not be immediately achieved. Assistance might be provided to private landowners without reimbursement if the

EXTERNAL INFLUENCES

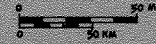
Cape Krusenstern
National Monument

Kobuk Valley National Park

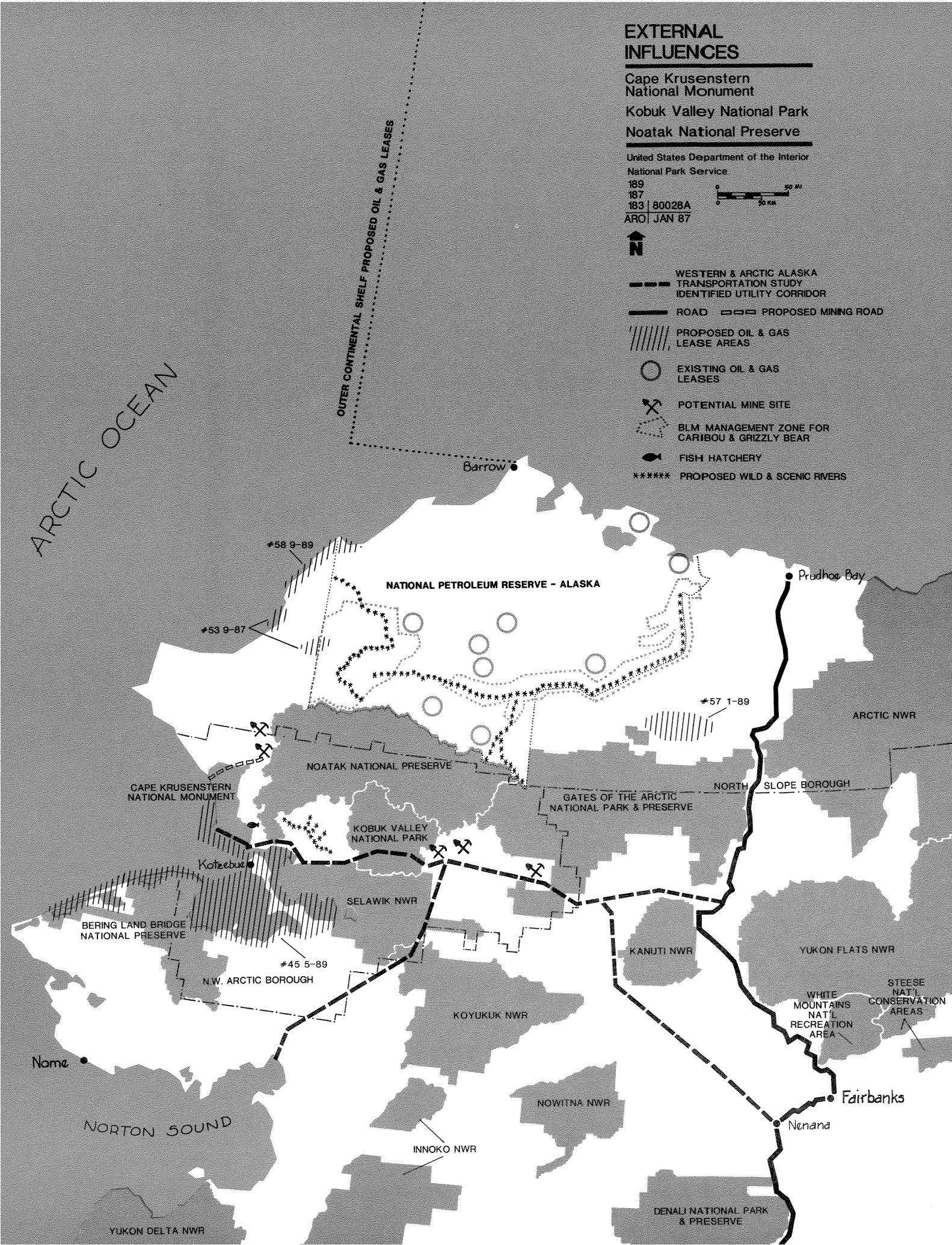
Noatak National Preserve

United States Department of the Interior
National Park Service

189
187
183 | 80028A
ARO | JAN 87



- WESTERN & ARCTIC ALASKA
TRANSPORTATION STUDY
IDENTIFIED UTILITY CORRIDOR
- ROAD — PROPOSED MINING ROAD
- //// PROPOSED OIL & GAS
LEASE AREAS
- EXISTING OIL & GAS
LEASES
- ✂ POTENTIAL MINE SITE
- ⊞ BLM MANAGEMENT ZONE FOR
CARIBOU & GRIZZLY BEAR
- 🐟 FISH HATCHERY
- ***** PROPOSED WILD & SCENIC RIVERS



secretary of the interior determines that it would further the agreement and be in the public interest.

Sociocultural Impacts. Impacts would be defined by the terms of the agreement. Since all parties would have to agree to its terms, it is unlikely there would be any negative or adverse impacts.

Effectiveness. Where economic incentives for private land development are limited or the landowner's uses of the land are basically compatible with management of adjoining monument lands, cooperative agreements could be a cost-effective, mutually beneficial means of ensuring compatible uses on private land in the monument.

Land bank agreements would be particularly important in cooperating with native corporations that own large tracts of land in and adjacent to the monument.

Advantages of agreements include their flexibility and relatively low cost. Disadvantages include the potential administrative costs and the right of one party to terminate on short notice.

Zoning by State and Local Governments

The zoning of land is based on the authority of state and local governments to protect public health, safety, and welfare by regulating land use. At present, the monument is not within an organized borough, thus there is no local zoning. If a borough or other form of regional government was formed that encompassed the monument, the National Park Service would propose the establishment of conservation zoning for the monument's land.

Classification of State Lands

The Alaska Department of Natural Resources, Division of Land and Water Management, is responsible for managing most state lands. The Division of Land and Water Management classifies the state lands it manages. Types of classifications include "resource management," "public recreation," and "wildlife habitat." These classifications establish primary uses for state lands; however, multiple uses of classified lands can occur as long as these other uses are compatible with the designated primary use.

Application. Future navigability determinations might affirm that portions of rivers and lagoons in the monument are state owned. Additionally, state lands abut the northern boundary of the monument. The National Park Service, or any individual or organization, could request that the Division of Land and Water Management classify or reclassify state lands for specific purposes. Classification of state lands might be useful in cases where the interests of the National Park Service and the state of Alaska are similar.

Sociocultural Impacts. Classification of state lands is established through a public process. Any impacts upon the people of the region and state would likely be identified and eliminated or minimized during the process. The uses of the lands subject to classification and the type of classification would determine what impacts will result.

Effectiveness. Classification would provide protection for state lands within and adjacent to the park. Advantages of classification include, no acquisition cost and no need to exchange lands; disadvantages of classification include lack of permanent protection for park purposes.

Easements

Landownership may be envisioned as a package of interests. Acquiring an easement conveys only some of the interests from one owner to another; other interests of ownership remain unchanged. Easements can include an array of interests ranging from limiting specific uses of the land to providing for public access.

Application. Easements would most likely to be useful where

- some, but not all, existing or potential private uses are compatible with monument's purpose

- current owners desire to continue existing use and occupancy of the land with limited conditions imposed by the National Park Service

- public access across or protection of scenic values is only needed on a portion of the land

Terms and conditions for easements should be written to fit the topography, vegetation, visibility, and character of existing or potential developments on each tract.

Sociocultural Impacts. The impacts of easements would vary depending on the rights acquired. Overall, the impacts would be judged beneficial because both parties must agree to the terms before the easement went into effect and because it would contribute to the fulfillment of the monument's objectives while allowing the landowners continued use of the land subject only to negotiated limitations.

Effectiveness. Because easements are permanent and enforceable interests in property, they would provide greater assurance of permanent protection than would agreements or zoning ordinances. Easement interests would stay with the property and are binding on future owners.

Advantages of easements include: continued private ownership and use subject to the terms of the easement, lower acquisition costs than fee-simple purchase, and consequently the potential to protect more lands and resources with available funds.

Disadvantages of easements as compared to fee-simple acquisition include: potential difficulty of enforcement in remote areas, landowners' lack of familiarity with less-than-fee simple ownership, relatively high costs of acquisition on undeveloped properties where no further development is compatible, and costs incurred in monitoring terms and conditions of easement provisions over time.

Fee-Simple Acquisition

When all the interests in land are acquired, it is owned in fee simple.

Application. Fee-simple acquisition may be recommended when other methods of protection have been found to be inadequate, inefficient, or ineffective to meet management needs. Fee-simple acquisition is most appropriate in the monument when land must be maintained in a pristine natural condition that precludes reasonable private use, when owned by individuals who do not wish to sell less-than-fee-simple interest, when resources cannot be protected by other methods in accord with monument purposes, or when other alternatives would not be cost-effective.

The National Park Service will acquire property, or portions of property, only when necessary to further park purposes. An example of a partial acquisition would be an important archeological site that occurs only on a portion of a property. If fee-simple acquisition were the only method of protecting the site, the Park Service would attempt to acquire only as much of the property as is necessary to protect this archeological site.

Sociocultural Impacts. Little change is likely to occur within the monument at the present time because most lands are undeveloped and or seasonally utilized. If lands were purchased, people would still be able to use them for subsistence purposes, as they now use surrounding federal lands. Exclusive use and development opportunities on acquired parcels would be precluded.

Effectiveness. Fee-simple acquisition is the most secure land protection alternative, but it is also generally the most expensive. The ability to purchase fee-simple interest is dependent on the appropriation of funds.

Advantages of fee-simple acquisition include: permanent and complete control over uses of the land by the National Park Service, authority to develop necessary facilities, private landowners' familiarity with this type of transaction, and opportunities for continued private use when reservations for use and occupancy are included in the acquisition.

Disadvantages of fee-simple acquisition include: acquisition costs, maintenance and management requirements (especially for developed properties), the potential relocation of private landowners, and the removal of housing and or land from the local market.

For a description of methods of acquisition see appendix H.

Environmental Protection Standards

Activities and developments on nonfederal lands in the monument must meet applicable state and federal environmental protection laws and regulations. These authorities help to maintain the existing natural environment in the monument.

Application. These authorities include but are not limited to the Alaska Coastal Zone Management Program, Alaska Anadromous Fish Act, Clean Water and Clean Air acts, and Executive Order 11990, "Protection of Wetlands."

Sociocultural Impacts. Individual landowners could be prevented from using their land in a particular manner if a restriction on individual freedom was imposed for the benefit of the community as a whole. This type of action would be beneficial to the public at large.

Effectiveness. These laws and regulations would assist in preventing harm to cultural resources and the natural environment but would not necessarily preclude other activities that might adversely affect the monument's resources.

RECOMMENDATIONS

The recommended means of land protection for nonfederal land in the monument are in priority order below. Ownership, location, acreages involved, minimum interest needed for protection, and justification are also given. Priorities may be readjusted if incompatible uses develop, as additional information is obtained, or to address emergencies or hardships. The land protection plan will be reviewed every two years and revised as necessary to reflect new information and changing uses and priorities. Review and revision procedures, including public involvement, are discussed in the introduction to this plan.

"Owner," as it pertains to privately owned real property inside the monument, is defined as follows: "The person(s), corporation, or other entity who first received patent or other conveyance from the United States of America or the state of Alaska." When the title to real property is conveyed by the United States of America or the state of Alaska (in the case of state land disposals), maintenance by the government of records of future transfers of ownership are not required. Those records are maintained in each recording district. Abstracts of such records are available from various title insurance companies throughout the state. The National Park Service is not required to maintain transfer of ownership records for privately owned lands. Accordingly, the listed tract owner may not be the current owner.

This plan identifies a minimum interest needed for protection but recognizes that the actual means of protection may change as a result of negotiation. In carrying out the purposes of ANILCA, section 1302 authorizes the secretary of the interior to acquire by purchase, donation, exchange, or otherwise any lands within the boundaries of conservation system units. Where acquisition is proposed, exchange is the preferred method whenever possible. Donations or relinquishments, where applicable, are encouraged. Purchase with appropriated or donated funds is another possible method. It should be noted that the appropriation of funds for land acquisition is expected to be very limited for the next few years. Therefore, the purchase of nonfederal interests in the monument is expected to be minimal.

A minimum interest has been defined for the protection of native allotments. However, the National Park Service recognizes that the traditional use of native allotments is compatible with the purposes of Cape Krusenstern

National Monument. If the owners of native allotments continue to use their property as it has been traditionally used, the Park Service does not intend to acquire allotments. The need for federal acquisition to protect resource values will be triggered if a change is perceived from this traditional use to an incompatible land use.

No estimates of the cost of implementing the recommendations of this plan have been prepared at this time. A useful estimate requires appraisals that are costly and have a short shelf life because of variable and changing market conditions. Appraisals for individual tracts will be prepared following agreement in concept with the landowner to acquire a specific interest in real property.

The major consideration in selecting site specific land protection alternatives is the need to comply with the intent of congressional legislation that established the monument. This authority emphasizes the preservation and protection of the monument's resources. In all cases, the minimum interest needed to carry out the intent of Congress will be defined and sought. Fee-simple acquisition may be needed to protect significant resources that are essential to the purposes of the monument, to provide for public use, or for improved resource management capability. Easements could protect the monument from incompatible developments that would impair its environment and detract from the public's use of the monument. Cooperative agreements would ensure that the management of private lands would be consistent with monument objectives. The following list of priorities is based on the resource values of the monument, potential threats to the land and resources, and nonfederal landowners' interests in selling, trading, exchanging, or entering into an agreement of one form or another.

Landowners who wish to sell property within the monument are encouraged to contact the superintendent to see if the National Park Service is interested in acquiring the land. These proposals will be reviewed for possible purchase based on their priority in the land protection plan recommendations and their potential contribution to resource protection, continuance of subsistence opportunities, provision of recreational opportunities, and maintenance of the undeveloped character of the monument. Extenuating circumstances, including hardship as defined in ANILCA section 1302(g), would also be considered. The availability of appropriated funds would also determine the National Park Service's ability to act on proposals from willing sellers.

Priorities

The plan establishes priority groups to identify the relative importance of tracts and to provide a general explanation of what lands are considered most important for monument purposes. However, because ANILCA and its legislative history strongly supports acquisition of lands from voluntary sellers and by exchange, the land protection program will proceed primarily on an opportunity basis as owners offer to sell or exchange their lands. Therefore, tracts may not be acquired in exact priority order. Priorities will be most important if several different offers are submitted at the same time. Limited funds and lands suitable for exchange will generally mean that

only high priority lands among those offered can be acquired. Emergency and hardship cases also may be addressed as they arise, regardless of priority.

Priority Group 1. This group consists primarily of native allotments between the outlet of Krusenstern Lagoon (Tukrok River) on the south and Battle Rock on the north, and it includes the allotments on Cape Krusenstern itself. The primary reason for creating the monument was to protect the known significant cultural resources of the beach ridges at the cape. Some of the allotments are believed to lie atop known significant cultural resources, and others are suspected to be where there is a high probability of significant cultural resources. (See Land Protection Priority Groups map in this chapter.)

Priority Group 2. This group primarily contains native village and regional corporation lands or interests in land and native allotments that are primarily in the northern one-quarter of the monument. Native corporation lands are already protected by the "Terms and Conditions Governing Legislative Land Consolidation and Exchange between the NANA Regional Corporation, Inc., and the United States of America, as amended by the Act of September 25, 1985," Public Law 99-96, 99 Stat. 460-464, (ANCSA, sections 34 & 35). This agreement provides for, among other things, a development and operations plan, consideration of visual impacts, protection of fish and wildlife habitat, protection of cultural and paleontological resources, reclamation of material sites, and protection of threatened and endangered fish, wildlife, and plants on native corporation lands or interests in land within this group.

Priority Group 3. This group contains native allotments and native lands in the southeastern portion of the monument. The allotments, mostly along the coastline, are in areas where less is known about the cultural resources than those in group 1 but where the probability for significant resources is considered to be high, especially on Sheshalik Spit. The National Park Service has received a conservation easement on the lands (approximately 10,942 acres) for the protection and study of resource values from NANA, as part of the terms and conditions of the exchange between NANA and the United States, ANCSA, sections 34 and 35.

Priority Group 4. This group consists of allotments between Battle Rock and Imik Lagoon. Little work has been done to investigate the potential for cultural resources in this area. But the proximity to sites such as Battle Rock would indicate that there is reason to suspect a high occurrence of cultural resource sites. (See Land Protection Priority Groups map in this chapter.)

Specific Proposals

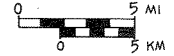
The recommended land protection approaches for nonfederal lands are listed below. Owners, acreages to be protected, minimum interests needed for protection, justification and proposed method of acquisition are also shown. The actual means of acquisition of land or interest in land will not be known until negotiations are initiated. Methods of acquisition are presented in appendix H of this document. Donations and exchanges are the preferred methods. Purchases may be made with appropriated or donated funds. Exercising the power of eminent domain is not recommended, although it could

LAND PROTECTION PRIORITY GROUPS

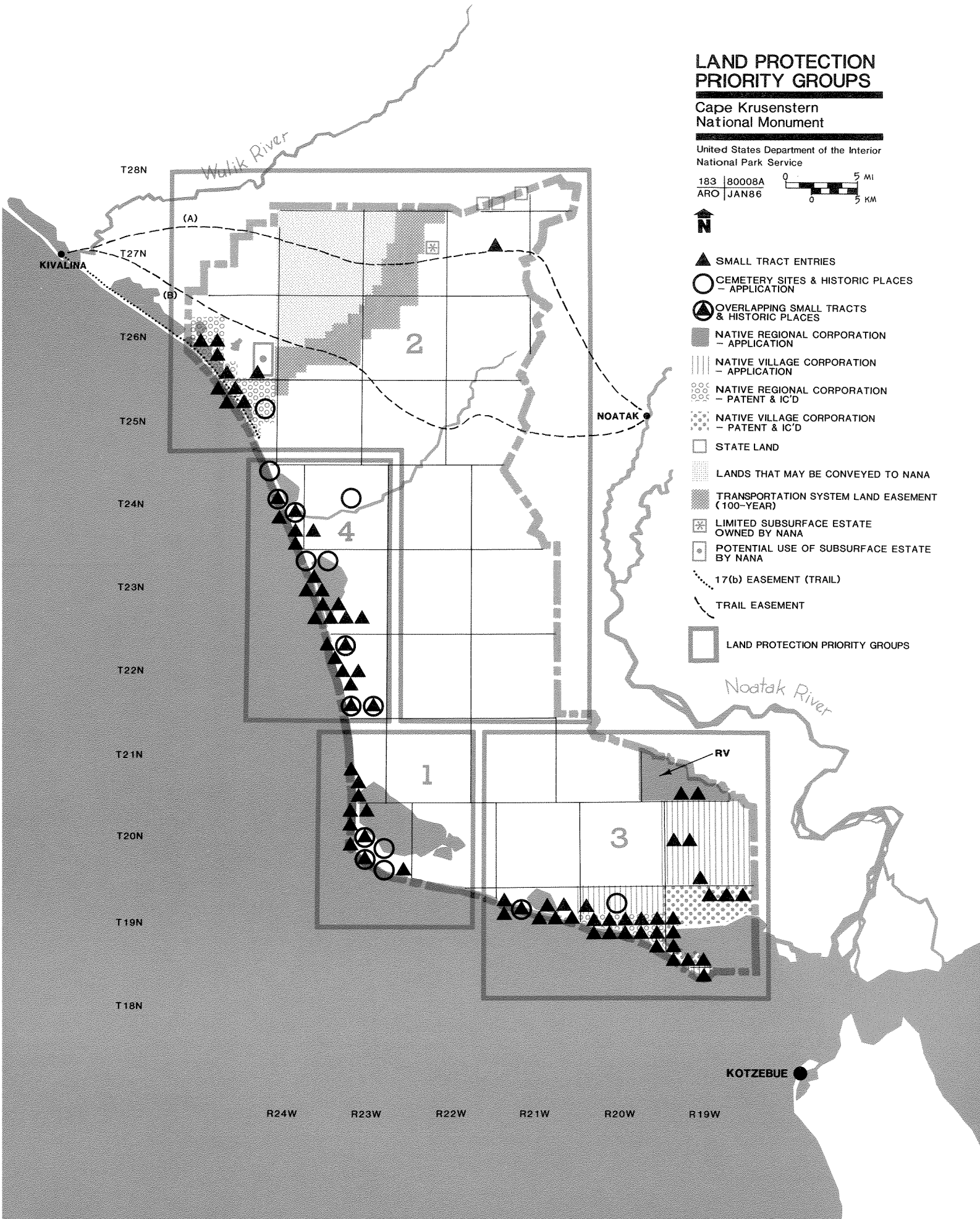
Cape Krusenstern National Monument

United States Department of the Interior
National Park Service

183 | 80008A
ARO | JAN 86



- ▲ SMALL TRACT ENTRIES
- CEMETERY SITES & HISTORIC PLACES - APPLICATION
- ⊙ OVERLAPPING SMALL TRACTS & HISTORIC PLACES
- NATIVE REGIONAL CORPORATION - APPLICATION
- ▨ NATIVE VILLAGE CORPORATION - APPLICATION
- ◻ NATIVE REGIONAL CORPORATION - PATENT & IC'D
- ◻ NATIVE VILLAGE CORPORATION - PATENT & IC'D
- STATE LAND
- ▨ LANDS THAT MAY BE CONVEYED TO NANA
- ▨ TRANSPORTATION SYSTEM LAND EASEMENT (100-YEAR)
- ⊙ LIMITED SUBSURFACE ESTATE OWNED BY NANA
- ◻ POTENTIAL USE OF SUBSURFACE ESTATE BY NANA
- 17(b) EASEMENT (TRAIL)
- - - TRAIL EASEMENT
- LAND PROTECTION PRIORITY GROUPS



be used where allowed by law and with the approval of the secretary of the interior to prevent land use activities that would severely damage the monument's integrity. Where land or interest in land is to be acquired by direct purchase, every effort will be made to reach an agreement on the purchase price with the owner. Condemnation proceedings will not be initiated until negotiations to achieve satisfactory resolution of the problem through means other than condemnation have been exhausted. However, if an agreement cannot be reached, a complaint in condemnation may be filed in the federal court to establish the fair market value of the property. In addition, condemnation action may be used to overcome defects in title or to address emergency situations where no other method will prevent damage to park resources. Tracts within each of the following priority groups are considered relatively equal in priority. An index to nonfederal interests is contained in appendix I of this document.

Priority Group 1 (A)

Type of Ownership:

Native allotments

Location:

Between the outlet of Krusenstern Lagoon (Tukrok River) on the south and Battle Rock on the north

Number:

30 allotments (36 parcels)

Parcels:

2B, 7B, 20, 22A, 22B, 23, 27, 28, 29, 33, 34, 35, 36, 37, 38 39A, 44A, 44B, 46A, 46B, 51A, 51B, 51C, 52B, 53, 54, 55, 56, 58B, 61, 71, 75, 79, 81A, 81B, 83 (see appendix I for a description of these parcels)

Total Acreage:

3,723

Minimum Interest Needed:

Fee-simple or easements

Justification:

These allotments are primarily on the beach ridges of Cape Krusenstern. The major reason for creating the monument was to protect the significant cultural resources of the beach ridges. Some of the allotments lie atop these resources, and others are located where there is a high probability of significant cultural resources. Further cultural resource survey of the area will occur to identify the specific locations of significant resources. Based on the results of these surveys and existing surveys, acquisition of fee-simple title to those allotments or portions of allotments containing significant cultural resources will ensure their long-term protection and possible interpretation. For those allotments not containing significant resources, less-than-fee-simple interests (easements) or agreements to maintain current uses will provide sufficient protection. These uses, primarily subsistence-related, are compatible with the purpose and

proposed management of the monument. Changes in these uses that would result in significant additional development population increases or actions that damage or threaten to damage resources would be viewed as incompatible with the purposes of monument.

Priority Group 1 (B)

Type of Ownership:

Cemetery and historical sites applied for under section 14(h)(1) of ANCSA

Location:

Between the outlet of Krusenstern Lagoon (Tukrok River) on the south and Battle Rock on the north

Number:

6

Parcels:

87,* 88,* 89, 90, 103,* 105 (see appendix I for a description of the parcels)

Total Acreage:

2,050 net acres applied for.

*(overlapping applications)

Minimum Interest Needed:

Agreement

Justification:

These sites are also on the beach ridges of Cape Krusenstern in an area where significant cultural resources are known to exist. The primary reason for creating the monument was to protect the significant cultural resources of the beach ridges. These sites may form part of the cultural resource base of the monument and should be protected. The National Park Service is mandated to protect cultural values and would manage these sites with sensitivity to native concerns if they remain in federal ownership. If they are conveyed to NANA, the National Park Service could carry out its mandate by entering into a cooperative agreement with NANA.

Priority Group 2 (A)

Type of Ownership:

Native regional corporation (NANA) and native village corporations (Kivalina, Noatak)

Location:

Lands, or interest in land, in the northern one-quarter of the monument. These include the 100-year transportation system lands (19,747 acres); lands that NANA may select within the monument referred to as "amended A-1 lands" (up to 42,337 acres); limited subsurface estate at Mud Lake (600 acres); and up to six sections of land (3,840 acres) where NANA may

use a limited subsurface estate, if requested by NANA and approved by the secretary of the interior.

Parcels:

List not available

Total Acreage:

66,524

Minimum Interest Needed:

None

Justification:

Sections 34 and 35 of ANCSA and the terms and conditions of the land exchange agreement provide sufficient protection for the monument's resources on these lands.

Priority Group 2 (B)

Type of Ownership:

Native allotments

Location:

Six of the seven tracts are in the northwest corner of the monument; the seventh is in the northeast corner of the monument.

Number:

6 allotments (7 parcels)

Parcels:

11, 15, 16, 18, 21C, 21D, 74

Total Acreage:

560

Minimum Interest Needed:

Agreement

Justification:

Six of the parcels located along the northwest coastline are surrounded by native corporation lands. One parcel in the northeast corner of the monument (no. 11) is surrounded by monument lands. Under present compatible uses an agreement setting forth compatible and incompatible uses should be sufficient to maintain monument values.

Priority Group 2 (C)

Type of Ownership:

Cemetery and historical sites applied for under section 14(h)(1) of ANCSA

Location:

Northwest corner of the monument

Number:

4

Parcels:

95, 100, 101, 104

Total Acreage:

2,125 acres applied for

Minimum Interest Needed:

Agreements

Justification:

Any cultural resources these sites may contain may form part of the cultural resource base of the monument and should be protected. The National Park Service is mandated to protect cultural values and would manage the sites with sensitivity to native concerns if they remain in federal ownership. If they are conveyed to NANA the National Park Service will carry out its mandate by entering into an agreement with NANA.

Priority Group 2 (D)

Type of Ownership

State of Alaska

Location

Northeast corner of the monument

Parcels

T. 28 N., R. 23 W., portions of sections 25, 33, and 34

Total Acreage

353

Minimum Interest Needed

Agreement

Justification:

These small parcels abut the northern boundary of the monument. An agreement with the state of Alaska will be sufficient to protect significant cultural and natural resources.

Priority Group 3 (A)

Type of Ownership:

Native regional corporation (NANA Corporation)

Location:

Southeastern corner of monument

Parcels:

106

Total Acreage:

10,624

Minimum Interest Needed:

Less-than-fee (easement)

Justification:

This area contains native corporation lands in the southeastern corner of the monument, including portions of Sheshalik Spit not covered by native allotments. The probability of significant cultural resources is considered high in the area, although little is known about the resources. Because of the numerous native allotments in this area, especially on Sheshalik Spit, continued development of seasonal homes, fishing camps, etc. is considered likely. NANA intends to retain these lands but involve the National Park Service in planning any development, providing protective procedures for cultural resource, and allowing study of cultural resources as a result of the terms of the Cape Krusenstern land exchange. An easement limiting development is necessary to ensure compatible uses and thereby prevent adverse impacts on cultural and natural resources.

Priority Group 3 (B)

Type of Ownership:

Native regional and village corporation (NANA and Kikiktagaruk Inupiat Corp.)

Location:

Southeastern portion of monument

Parcels:

107, 117, 118, 119

Total Acreage:

41,514

Minimum Interest Needed:

Agreement

Justification:

These lands are in areas where less is known about the cultural resources than those in group 1, but where the probability for significant resources is considered to be high, especially on Sheshalik Spit. To determine the presence of significant cultural resources, an Alaska Land Bank or other agreement with NANA and KIC is necessary to provide for further inventory, evaluation, and protection of cultural resources to the degree possible. Limitations on developments are

necessary elements of any agreement to maintain uses compatible with the purposes of the monument.

Priority Group 3 (C)

Type of Ownership:

Native allotments

Location:

Southeastern portion of the monument

Number:

38 allotments (42 parcels)

Parcels:

1, 2A, 3A, 3B, 4A, 4B, 5, 6, 7A, 8C, 9, 10, 14, 19A, 24, 25, 31B, 32, 39B, 40, 41, 42, 43A, 43B, 45, 52A, 57, 58A, 59A, 60, 63, 66A, 67, 68, 72, 76, 77, 78A, 78B, 80, 82, 84, 122, 123

Total Acreage:

3,836

Minimum Interest Needed:

Agreement

Justification:

The allotments, mostly along the coastline including Sheshalik Spit, are in areas where less is known about the cultural resources than those in group 1. The probability for significant resources is thought to be high, especially on Sheshalik Spit. To determine the presence of significant cultural resources, the National Park Service will seek an Alaska Land Bank or other agreement with the allotment owners to provide for further inventory, evaluation, and protection of cultural resources to the degree possible. The agreements would also propose to limit significant development and uses beyond existing levels to ensure continued compatibility with the purposes of the monument.

Priority Group 3 (D)

Type of Ownership:

Cemetery and historical sites applied for under section 14(h)(1) of ANCSA.

Location:

Southeastern portion of the monument

Number:

1

Parcels:

86

Total Acreage:
625 applied for

Minimum Interest Needed:
Agreement

Justification:
This site was selected and applied for under section 14(h)(1) of ANCSA on the basis that it contains cemeteries or historical values of local or regional native concern. Any cultural resources this site may contain forms part of the cultural resource base of the monument and should be protected. The National Park Service is mandated to protect cultural values and will manage these sites with sensitivity to native concerns if they remain in federal ownership. If they are conveyed to NANA, the National Park Service will carry out its mandate by entering into an agreement with NANA.

Priority Group 4 (A)

Type of Ownership:
Native allotments

Location:
Beginning north of Battle Rock and going north to the southern half of Imik lagoon

Number:
13

Parcels:
12, 13, 17, 30, 47, 48, 49, 50, 62, 65, 69, 70, 85 (see appendix I for a description of these parcels)

Total Acreage:
1,720

Minimum Interest Needed:
Agreement

Justification:
The allotments, mostly along the coastline north of Battle Rock, are in areas where little work has been done to investigate the potential for cultural resources. However, the proximity to sites such as Battle Rock indicates that there is reason to suspect a high occurrence of cultural resource sites. To determine the presence of significant cultural resources, an Alaska Land Bank or other agreement with the allotment owners is appropriate to provide for further inventory, evaluation, and protection of cultural resources. The agreements would also propose to limit significant development and uses beyond existing levels to ensure continued compatibility with the purposes of the monument.

Priority Group 4 (B)

Type of Ownership:

Cemetery and historical sites applied for under section 14(h)(1) of ANCSA

Location:

Beginning north of Battle Rock and going to the southern half of Imik lagoon

Number:

9

Parcels:

91,* 92, 93,* 94, 96, 97, 98,* 99, 102* (*overlapping applications)

Total Acreage:

1,130 net acres applied for

Minimum Interest Needed:

Agreement

Justification:

These sites were selected and applied for under section 14(h)(1) of ANCSA on the basis that they contain cemeteries or historical values of local or regional native concern. Any cultural resources these sites may contain form part of the cultural resource base of the monument and should be protected. The National Park Service is mandated to protect cultural values and will manage these sites with sensitivity to native concerns if they remain in federal ownership. If they are conveyed to NANA, the National Park Service will carry out its mandate by entering into an agreement with NANA.

Priority Group 4 (C)

Type of Ownership:

State of Alaska

Location:

Kotzebue Sound

Number:

N/A

Parcels:

121

Total Acreage:

10,095

Minimum Interest Needed:

Agreement

Justification:

At the time of Alaska statehood, title to the tidelands, shorelands, and submerged lands beneath interior navigable waters was vested in the state pursuant to the Alaska Statehood Act and the Submerged Lands Act of 1953. Determination of navigable waters with respect to title of the beds of such waters is an ongoing process. Where the state is determined to own submerged lands (as is the case for submerged lands in Kotzebue Sound within the monument boundaries), agreements are necessary to protect the monument values associated with the beds or waters or adjacent lands. Of particular concern in Kotzebue Sound and the Chukchi Sea are seals and other marine mammals. In creating the monument, ANILCA, section 201(3), specifically mentions protection of habitat for seals and other marine mammals. In addition, the National Park Service will work with the state to incorporate proposals for the protection of marine mammal habitat into its northwest area region land use plan that is being prepared by the Department of Natural Resources.



5. IMPLEMENTATION

IMPLEMENTATION

The key to effective implementation of the general management plan is the addition of new staff. With 13 positions (6 existing, 7 new) there will be enough personnel to carry out all proposed actions, research studies, and cooperative agreements. The second important factor is the expansion of administrative office space, visitor contact facilities, and construction of government housing and an aircraft facility. With people and facilities, plan implementation can begin, in earnest. Construction and operation of a museum is proposed as a cooperative venture and is expected to be carried out over many years. Until an agreement between interested parties is signed, no time tables can be presented.

IMPLEMENTATION CHECKLISTS

The lists below comprise a checklist for implementation. Because funding requests govern implementation to such a large degree, an implementation schedule is not practical at this time. Where cost estimates are available, they have been presented.

Cultural Resources Research

1. Cape Krusenstern National Monument cultural resources inventory
2. Archeological site monitoring and impact survey
3. Archeological collections inventory project
4. Cape Krusenstern ethnohistory and oral history project

Natural Resources Research

1. Population data: big game and fur-bearing species
2. Role of natural fire in northwest Alaska ecosystem
3. Baseline study of the genetic characteristics and monitoring of Noatak River chum salmon
4. Compilation and analysis of big-game harvest information on all harvested species
5. Baseline study of ecosystem dynamics within northwest Alaska
6. Study and monitoring of caribou and moose habitat
7. Study of the impacts of existing and proposed methods of transportation on northwest Alaska ecosystems
8. Analysis and monitoring of conflict between subsistence and recreational users

9. Musk-ox cooperative management and reintroduction study
10. Endangered species inventory and monitoring cooperative survey
11. Baseline research on waterfowl and shorebirds with emphasis on Cape Krusenstern and Sheshalik Spit
12. Cooperative baseline research on fisheries populations and pressures
13. Baseline research into the potential for mineral extraction
14. Impact study on popular visitor use areas
15. Air quality monitoring
16. Water quality monitoring
17. Cooperative timber inventory

Public Use Research

1. Commercial use study
3. Commercial fishing study (1979 levels)
3. Human use study

Additional Planning

1. Resource management plan
2. Subsistence management plan
3. Interpretive prospectus
4. Wilderness designation study (EIS)
5. Updated land protection plan

Cooperative Agreements

1. An agreement on timber management that includes the resources in the monument, in Kobuk Valley National Park, and in Noatak National Preserve. This agreement will be developed in cooperation with NANA, BLM, KIC, the state of Alaska (various departments) and the USFWS.
2. An agreement focusing on the development of a regional museum possibly jointly operated that will be a federal/state repository for materials of northwest Alaska and possibly a branch of the Alaska State Museum. This will be in cooperation with the Alaska State Museum, University of Alaska Museum, NANA, KIC, the city of Kotzebue, and other groups or agencies who wish to pursue the project.

3. Agreements with NANA, KIC, and owners of conveyed native allotments for management of cultural resources on ANSCA 14(h)(1) cemetery and historic sites and native allotments. Additional recommendations on this subject are explained in the "Land Protection Plan" (chapter IV).
4. An agreement for coordinated search-and-rescue activities among all members of the NANA Search-and-Rescue Group, the Alaska State Troopers, and the National Park Service.
5. An agreement on radio communications among the U.S. Fish and Wildlife Service, Bureau of Land Management, and the National Park Service.
6. An agreement for cooperative management with the state of Alaska regarding shorelands, submerged lands, and tidelands.
7. An agreement for cooperative management with the state of Alaska regarding water rights.
8. An agreement for cooperative management with the state of Alaska regarding public uses on waterways. This is to be pursued only if case-by-case resolution of management issues proves unacceptable to the National Park Service and the state.
9. An agreement for cooperative management with regional and village native corporations for management of 17 (b) easements if any are created by the BLM and subsequently transferred to NPS management.

Development in Kotzebue: Lease, purchase, or construction of facilities in Kotzebue include: expanded administrative offices and a visitor contact station and construction of one four-plex housing unit.

Development in the Monument:

1. One seasonal ranger station in the southern half of the monument.
2. One permanent ranger station in the northern half of the monument (if the Red Dog Mine is developed).

Other Actions

1. Work to quantify and inform the state of Alaska of about the National Park Service's existing and future water needs under the federal reserve doctrine. When the federal doctrine is not applicable, work with the state to carry out the needed reservation under Alaska law.
2. Continue to consult with the U.S. Fish and Wildlife Service about threatened and endangered species in the monument as it relates to planned actions that might affect peregrine falcons.
3. Make application to Alaska Department of Fish and Game for necessary Title 16 (anadromous fish) permits.

4. Forward public meeting recommendations to expand subsistence hunting resident zones to Cape Krusenstern Resource Commission.

Table 6: Estimate of Development Costs

<u>Item</u>	<u>Estimated Cost*</u>
1. Administrative offices: 3,000 square feet	\$687,750
2. Visitor contact station: 1,500 square feet	343,875
3. Government housing: one 5,000-square-foot four-plex	851,500
4. Shop and storage space: 6,000 square feet	786,000
5. Aircraft hanger: 3,000 square feet heated and 4,000 square feet outdoors, surfaced	550,200
6. Ranger Stations: Rebuild old mail run cabin	50,000
Northern ranger station, 2,000 square feet	<u>393,000</u>
Total Development Costs	\$3,654,675**

*Estimates are NPS class C (gross) estimates, which are expected to be accurate to plus or minus 30 percent. Estimates are based on existing bidding and contracting policies and reflect costs expected if each item were bid separately. It is realized that significant reductions are possible if more than one item is put out to bid with other items so that larger bid packages are created.

**Costs on items 1-5 will be shared with Noatak National Preserve and Kobuk Valley National Park budgets as presented in the general management plans for those areas.

Table 7. Estimated Annual Operating Cost for Northwest Areas (Cape Krusenstern, Kobuk Valley, and Noatak)

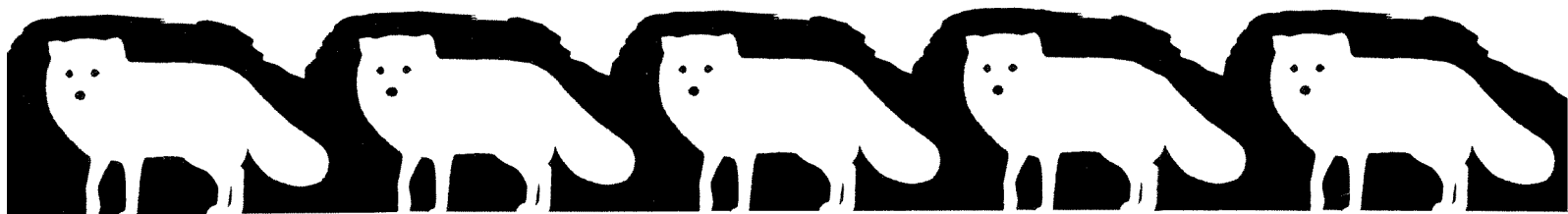
<u>Personnel</u> (includes permanent and seasonal staff benefits, travel, overtime, etc.)	\$600,000
<u>Rent, Communications, and Utilities</u> (NANA building, Quonset hut, phones, etc.)	130,000(*)
<u>Services and Supplies</u> (OAS aircraft, other services, consumable supplies, etc.)	350,000
<u>Capitalized Equipment</u>	100,000(**)

* Costs will be reduced if U.S. Fish and Wildlife Service shares costs and if OAS budgets for this item.

** Does not include replacement costs.

AMENDMENTS TO THE GENERAL MANAGEMENT PLAN

The general management plan may be amended as provided for by the National Park Service "Planning Process Guideline" (NPS 2). Amendments are appropriate when needs or conditions change or when a significant issue arises that requires consideration or when an item has been omitted from the plan by error. An amendment usually deals with a single issue and a complete revision usually occurs because of many changing conditions, needs, or the passage of many years. Any amendments or future revisions of this plan would include public involvement and compliance with all laws, regulations, and NPS policies (see chapter I).



WILDERNESS SUITABILITY REVIEW

WILDERNESS SUITABILITY REVIEW

MANDATES

Because no lands in the monument were designated as wilderness by ANILCA section 1317(a), a review of lands in the monument must be made to determine their suitability or nonsuitability for preservation as wilderness.

Section 1317(b) specifies that "the Secretary shall conduct his review by December 2, 1985, and the President shall advise the United States Senate and House of Representatives of his recommendations, in accordance with the provisions of sections 3(c) and (d) of the Wilderness Act" by December 2, 1987. Actual recommendations on whether to designate suitable areas as wilderness will be made following completion of the general management plan. An environmental impact statement will be prepared as part of the recommendation process.

The Wilderness Act of 1964 defines wilderness as follows:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

WILDERNESS SUITABILITY CRITERIA

Wilderness suitability criteria were developed that reflect the definition of wilderness contained in the Wilderness Act and the provisions of ANILCA specific to wilderness areas in Alaska. These criteria were applied to all federal lands in the monument to determine their suitability for designation. These criteria relate to the current land status and physical character of the land.

The actual recommendations will follow completion of the general management plan (see "Future Wilderness Recommendations"). For a particular tract of land to be determined suitable or not suitable for wilderness designation, it must meet all of the following criteria:

Table 8: Wilderness Suitability Criteria

<u>Description of Land or Activity</u>		<u>Suitable for Wilderness</u>	<u>Not Suit- able for- Wilderness</u>	<u>Suit- ability Pending</u>
<u>Land Status</u>	Federal	X		X
	Federal - under application or selection.		X	
	State or private land - patented or tentatively approved		X	
	Private ownership of subsurface estate		X	
<u>Mining</u>	Areas with minor ground disturbances from past mining activities.	X		
	Areas with major past ground disturbances from mining activities.		X	
	Current mining activities and ground disturbances		X	
<u>Roads and ORV trails</u>	Unimproved roads or ORV trails that are unused or little used by motor vehicles.		X	
	Improved roads and ORV trails regularly used by motor vehicles.		X	
<u>Landing Strips</u>	Unimproved or minimally improved and maintained.	X		
	Improved and maintained.		X	
<u>Cabins</u>	Uninhabited structures; hunter, hiker, and patrol cabins.	X		
	Inhabited as a primary place of residence.		X	

<u>Description of Land or Activity</u>		<u>Suitable for Wilderness</u>	<u>Not Suit- able for- Wilderness</u>	<u>Suit- ability Pending</u>
<u>Size of Unit</u>	Greater than 5,000 acres adjacent to existing wilderness, or of a manageable size.	X		
	Less than 5,000 acres or of unmanageable size.		X	

WILDERNESS SUITABILITY DETERMINATION

Using these criteria, 513,926 of the 659,807 acres in the monument have been determined suitable for wilderness designation based on their present undeveloped and unimpaired state. There are no major past or present mining developments, improved roads or improved ATV trails, or inhabited cabins on federal lands.

The existing landing strip in the Kakagrak Hills was constructed before the monument was established. Since its abandonment by the military, approximately 1,500 feet of the landing strip's 3,000 feet has fallen into disrepair. The usable 1,500 feet is proposed for continued use. As such, the landing strip does not preclude the area's suitability for wilderness.

Most of the current activity (fishing camps, etc.) takes place on native allotments and native corporation lands. Approximately 54,177 acres of the monument are not suitable for wilderness, and approximately 89,704 acres' suitability for wilderness is pending. The final status of native land selections and native allotments has not been determined and it is not certain at this time whether they will be transferred out of federal ownership.

All lands determined suitable for wilderness designation will be managed under the terms of ANILCA to maintain the wilderness character and values of the lands until designation recommendations have been proposed and Congress has acted on these proposals.

Changes in land status or those likely to occur between now and the time that the recommendations are made to the president and Congress will be reflected in those recommendations. A determination of suitability does not affect any pending selections or other prior existing land disposal actions. All wilderness recommendations and subsequent designations will be made subject to valid existing rights including rights-of-way under RS 2477.

FUTURE WILDERNESS RECOMMENDATIONS

Recommendations on whether to designate suitable areas as wilderness will be made following completion of the general management plan. An environmental impact statement will be prepared as part of the wilderness recommendations

process. The public will have the opportunity to review and comment on these recommendation and secretarial review and public hearings will be held. Upon completion of the EIS, the president will make his recommendations to the Congress.

WILDERNESS MANAGEMENT

Should the secretary of the interior and the president recommend and should the Congress designate lands within the monument for inclusion in the national wilderness preservation system, this section on wilderness management will apply throughout the lifespan of this plan.

The Wilderness Act states that wilderness areas "shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness."

Wilderness is then defined (in part) as "an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitations, which is protected and managed so as to preserve its natural conditions."

ANILCA made certain exceptions to the Wilderness Act that apply only to the management of wilderness areas in Alaska. These are summarized below.

Section 1110(a) provides that the secretary will permit in conservation system units, which by definition in Section 102(4) includes units of the national wilderness preservation system

the use of snowmachines (during periods of adequate snow cover...), motorboats, airplanes, and nonmotorized surface transportation methods for traditional activities (where such activities are permitted by this Act or other law) and for travel to and from villages and homesites. Such use shall be subject to reasonable regulations by the Secretary to protect the natural and other values of the [wilderness] . . . areas, and shall not be prohibited unless, after notice and hearing in the vicinity of the affected unit or area, the Secretary finds that such use would be detrimental to the resource values of the unit or area.

The National Park Service has incorporated this provision into the 43 CFR 36.11, which covers special access in conservation system units in Alaska.

The use of airplanes in designated wilderness is allowed under the above-cited sections of ANILCA and the Code of Federal Regulations. Helicopter landings are prohibited except in compliance with a permit issued by the superintendent.

Motorboats may also be used on bodies of water within wilderness. Snowmachine access occurs throughout the monument and will continue to be allowed in designated wilderness under the above-cited sections of ANILCA and the CFR. No other forms of motorized access are permitted except as provided by ANILCA, sections 811, 1110 and 1111, and ANCSA, sections 34 and 35.

The Wilderness Act, section 4(c), states that subject to existing private rights, there shall be:

no commercial enterprise and no permanent road within any wilderness area . . . and except as necessary to meet minimum requirements for the administration of the area for purposes of this Act (including measures required in emergencies involving health and safety of persons within the area), there shall be no temporary road . . . and no structure or installation within the area.

Section 1303(a)(3) of ANILCA, however, authorizes the use and occupancy of existing cabins other structures in national park system units under a permit system. Cabins and other structures not under a permit system may be used for official government business, for emergencies involving health and safety, and for general public use. Also under section 1303(a)(4), the secretary may permit the construction and maintenance of cabins or other structures if it is determined that the use is necessary for reasonable subsistence use. Section 1315 of ANILCA contains more specific language about existing cabins:

Previously existing public use cabins within wilderness . . . may be permitted to continue and may be maintained or replaced subject to such restrictions as the Secretary deems necessary to preserve the wilderness character of the area.

Section 1315 also allows the construction of new cabins and shelters if necessary for the protection of public health and safety. Appropriate congressional committees must be notified of the intention to remove existing public use cabins or shelters or to construct new ones in wilderness.

Section 1310, subject to reasonable regulation, provides for access to and the operation, maintenance, and establishment of air and water navigation aids, communications sites and related facilities, and facilities for weather, climate, and fisheries research and monitoring in wilderness areas.

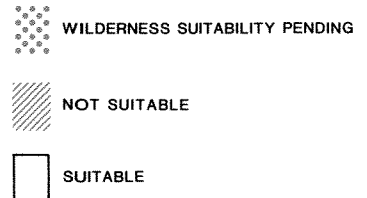
The decision-making process established in Title XI of ANILCA for the siting of transportation and utility systems applies to designated wilderness in Alaska.

WILDERNESS SUITABILITY

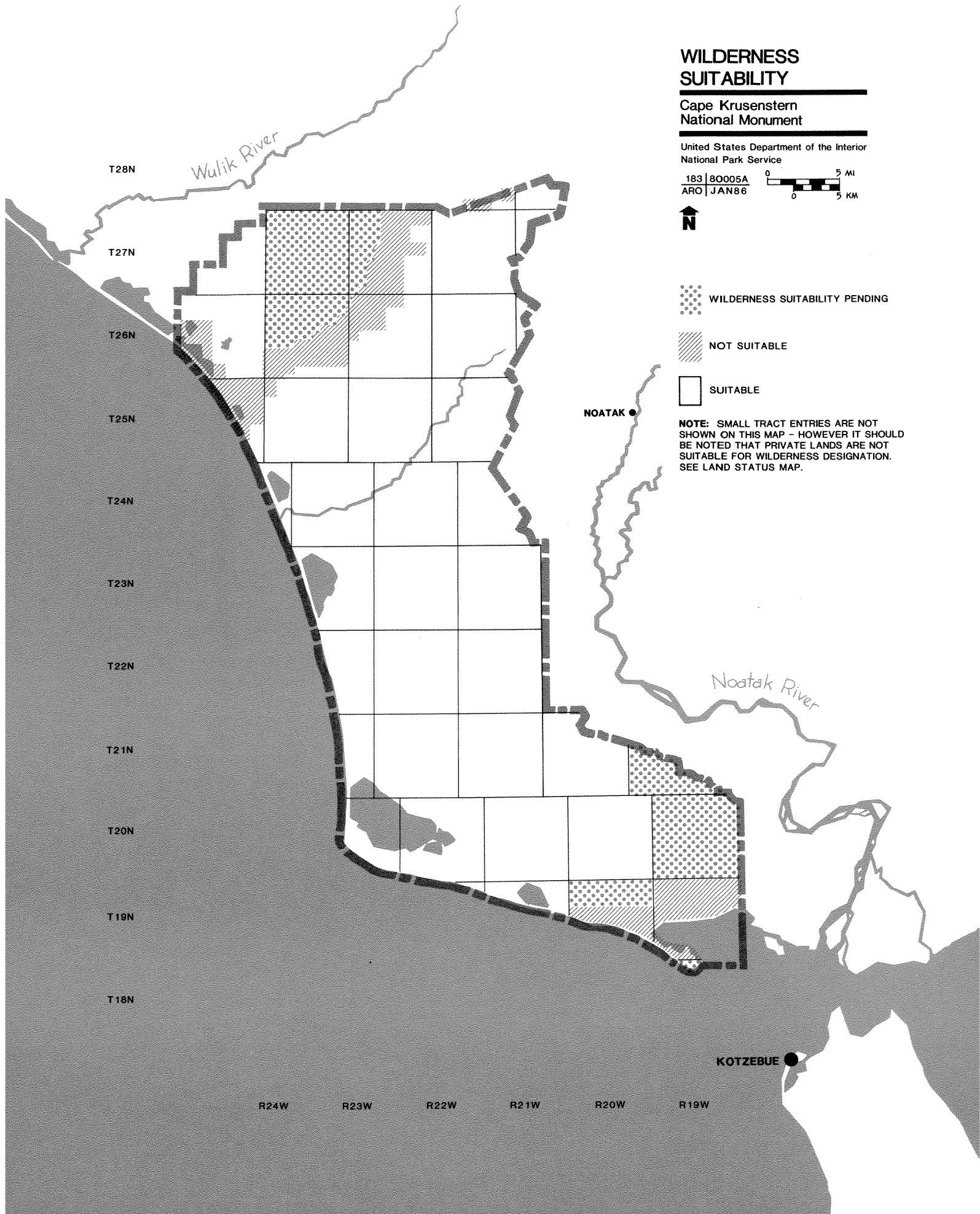
Cape Krusenstern National Monument

United States Department of the Interior
National Park Service

183 | 80005A
ARO | JAN 86



NOTE: SMALL TRACT ENTRIES ARE NOT SHOWN ON THIS MAP - HOWEVER IT SHOULD BE NOTED THAT PRIVATE LANDS ARE NOT SUITABLE FOR WILDERNESS DESIGNATION. SEE LAND STATUS MAP.





APPENDIXES

APPENDIX A: CONSISTENCY DETERMINATION FOR ALASKA COASTAL MANAGEMENT PROGRAM

The Coastal Zone Management Act of 1972, section 307(c) (PL 92-583) as amended, states that "each federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state coastal management programs."

The Alaska Coastal Management Act of 1977, as amended, and the subsequent Alaska Coastal Management Program (ACMP) and Final Environmental Impact Statement of 1979 set forth policy guidelines and standards used for review of this general management plan.

Separate consistency determinations related to the proposed Red Dog Mine have been prepared and are incorporated by reference into this determination. In its review of the Red Dog Mine Title 11 permit package, the state of Alaska on August 6, 1984, concurred that the proposal is consistent with the ACMP. The state reserved comment on the final recommended terms and conditions applicable to the NPS right-of-way permit until such time as terms and conditions of the permit are developed.

In its review of the land exchange, the state of Alaska on December 6, 1984, did not concur with the determination of consistency. In its letter the state recommended amendments to the consistency determination. The National Park Service is responding to those concerns and fully expects to mutually resolve the matter and receive a concurrence from the state in the near future.

The ACMP identifies 12 primary categories that are to be used in consistency evaluations. The basis of the following consistency determination is the environmental assessment that accompanied the Draft General Management Plan for the monument. The highlights of this assessment are organized in the ACMP format in the consistency determination.

The 12 categories in the ACMP and an indication of the parts that are applicable to this plan follow:

ACMP Categories

1. Coastal development	Yes
2. Geophysical hazard areas	Yes
3. Recreation	Yes
4. Energy facilities	No
5. Transportation and utilities	No
6. Fish and seafood processing	No
7. Timber harvest and processing	No
8. Mining and mineral processing	No
9. Subsistence	Yes
10. Habitats	Yes
11. Air, land, and water quality	Yes
12. Historic, prehistoric, and archeological resources	Yes

The following matrix evaluates the consistency of the GMP with the requirements of each of the applicable categories identified.

Consistency Determination Matrix

<u>ACMP Section</u>	<u>Policy</u>	<u>Evaluation of Preferred and Other Alternatives</u>	<u>Consistency</u>
6 AAC 80.040 Coastal Development	<p>(a) In planning for an approving development in coastal areas, districts and state agencies shall give, in the following order, priority to:</p> <ol style="list-style-type: none"> 1) water-dependent uses and activities; 2) water-related uses and activities; 3) uses and activities which are neither water dependent nor water related for which there is no feasible and prudent inland alternative to meet the public need for the use or activity. 	<p>(a) The plan calls for little development in the monument. Developments would be water dependent or water related and would take place along the beach and lagoons of the monument. A seasonal ranger station will be located in the southern half of the monument. A permanent ranger station with one to three structures will be located in the northern half of the monument in conjunction with the Red Dog Mine if developed.</p>	Consistent
	<p>(b) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with CFR, Title 33, Parts 320-323, July 19, 1977.</p>	<p>(b) The plan does not propose discharging any dredged or fill material into coastal waters.</p>	Consistent
6 AAC 80.050 Geophysical Hazard Areas	<p>(a) Districts and state agencies shall identify known geophysical hazard areas and areas of high development potential in which there is a substantial possibility that geophysical hazards may occur.</p>	<p>The plan does not propose developments in any known geophysical hazard area.</p>	Consistent

(b) Development in areas identified Under (a) of this section may not be approved by the appropriate state or local authority until siting, design, and construction measures for minimizing property damage and protecting against loss of life have been provided.

6 AAC 80.060
Recreation

(a) Districts shall designate areas for recreational use. Criteria for designation of areas of recreational use are:
(1) the area receives significant use by persons engaging in recreational pursuits or is a major tourist destination; or
(2) the area has potential for high quality recreational use because of physical, biological, or cultural features.

(a) The plan recognizes and protects the monument's potential for high quality recreational opportunities related to its physical, biological, and cultural features.

Consistent

(b) District and state agencies shall give high priority to maintaining and, where appropriate, increasing public access to coastal water.

(b) The establishment of the monument guarantees and provide for public access to federal lands adjoining coastal waters.

Consistent

6 AAC 80.120
Subsistence

(a) Districts and state agencies shall recognize and assure opportunities for subsistence usage of coastal areas and resources.

See appendix C of the draft plan "ANILCA SECTION 810 Subsistence Evaluation". This evaluation finds that the plan would not result in a significant restriction of subsistence uses within the monument.

Consistent

(b) Districts shall identify areas in which subsistence is the dominant use of coastal resources.

(c) Districts may, after consultation with appropriate state agencies, native corporations, and any other persons or groups, designate areas identified under (b) of this section as subsistence uses and activities have priority over all nonsubsistence uses and activities.

(d) Before a potentially conflicting use of activities may be authorized within areas designated under (c) of this section, a study of the possible adverse impacts of the proposed potentially conflicting use or activity upon subsistence usage must be conducted and appropriate safeguards to assure subsistence usage must be provided.

(e) Districts sharing migratory fish and game resources must submit compatible plans for habitat management.

60 AAC 80.130 Habitats	<p>(a) Habitats in the coastal area which are subject to the Alaska Coastal Management Program include</p> <ol style="list-style-type: none"> (1) offshore areas (2) estuaries (3) wetlands and tidelands (4) rocky islands and seacliffs (5) barrier islands and lagoons (6) exposed high energy coasts (7) rivers, streams, and lakes (8) important upland habitat 	The plan would serve to maintain the integrity and biological health of coastal habitats by promoting research and monitoring programs.	Consistent
6 AAC 80.140 Air, Land, and Water Quality	<p>(b) The habitats contained in (a) of this section must be managed so as to maintain or enhance the biological, physical, and chemical characteristics of the habitat which contribute to its capacity to support living resources.</p> <p>The statutes pertaining to and the regulations and procedures of the Alaska Department of Environmental Conservation with respect to the protection of air, land, and water quality are incorporated into the ACMP.</p>	All requirements would be met by the plan. Development of any facilities would require compliance with applicable federal and state laws and regulations regarding air, land and water quality.	Consistent

6 AC 80.150 Historic, Prehistoric, and Archeological Resources	Districts and appropriate state agencies shall identify areas of the coast which are important to the study, understanding, or illustration of national, state, or local history or prehistory.	The National Park Service would would survey, evaluate, and protect archeological and his- torical sites within the monu- ment as mandated by laws and regulations.	Consistent
---	---	--	------------

DETERMINATION

A consistency determination has been prepared pursuant to the federal Coastal Zone Management Act of 1971, as amended, and the plan is consistent with the standards of the Alaska Coastal Zone Management Program (ACMP) of May 1979. The consistency determination was reviewed by the state of Alaska during the summer of 1985, and notification that the plan is consistent with the program's standards was received from the Office of the Governor in a letter dated August 30, 1985. Compliance with the ACMP pursuant to section 307 of the federal Coastal Zone Management Act of 1972, as amended, is thus assumed.

For proposed activities that directly affect the Coastal Zone, the National Park Service will comply to the maximum extent practical with the ACMP as it proceeds with additional plans, actions, and various permitted activities within the monument. This will take place by continued coordination and cooperation between the National Park Service and appropriate state agencies. A draft memorandum of understanding that addresses the process to achieve consistency is currently being worked on by state and federal officials.

APPENDIX B: NPS/ADF&G MASTER MEMORANDUM OF UNDERSTANDING

BETWEEN
THE ALASKA DEPARTMENT OF FISH AND GAME
JUNEAU, ALASKA
AND
THE U.S. NATIONAL PARK SERVICE
DEPARTMENT OF THE INTERIOR
ANCHORAGE, ALASKA

This Master Memorandum of Understanding between the State of Alaska, Department of Fish and Game, hereinafter referred to as the Department and the U.S. Department of the Interior, National Park Service, hereinafter referred to as the Service, reflects the general policy guidelines within which the two agencies agree to operate.

WHEREAS, the Department, under the Constitution, laws, and regulations of the State of Alaska, is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of the fish and wildlife resources of the State on the sustained yield principle, subject to preferences among beneficial uses; and

WHEREAS, the Service, by authority of the Constitution, laws of Congress, executive orders, and regulations of the U.S. Department of the Interior is responsible for the management of Service lands in Alaska and the conservation of resources on these lands, including conservation of healthy populations of fish and wildlife within National Preserves and natural and healthy populations within National Parks and Monuments; and

WHEREAS, the Department and the Service share a mutual concern for fish and wildlife resources and their habitats and desire to develop and maintain a cooperative relationship which will be in the best interests of both parties, the fish and wildlife resources and their habitats, and produce the greatest public benefit; and

WHEREAS, the Alaska National Interest Lands Conservation Act (ANILCA) and subsequent implementing Federal regulations recognize that the resources and uses of Service lands in Alaska are substantially different than those of similar lands in other states and mandate continued subsistence uses in designated National Parks, plus sport hunting and fishing, subsistence, and trapping uses in National Preserves under applicable State and Federal laws and regulations; and

(copy)

WHEREAS, the Department and the Service recognize the increasing need to coordinate resource planning and policy development;

NOW, THEREFORE, the parties hereto do hereby agree as follows:

THE DEPARTMENT OF FISH AND GAME AGREES:

1. To recognize the Service's responsibility to conserve fish and wildlife and their habitat and regulate the human use on Service lands in Alaska, in accordance with the National Park Service Organic Act, ANILCA, and other applicable laws.
2. To manage fish and resident wildlife populations in their natural species diversity on Service lands, recognizing that nonconsumptive use and appreciation by the visiting public is a primary use and appreciation by the visiting public is a primary consideration.
3. To consult with the Regional Director or his representative in a timely manner and comply with applicable Federal laws and regulations before embarking on management activities on Service lands.
4. To act as the primary agency responsible for management of subsistence uses of fish and wildlife on State and Service lands, pursuant to applicable State and Federal laws.
5. To recognize that National Park areas were established, in part, to "assure continuation of the natural process of biological succession" and "to maintain the environmental integrity of the natural features found in them."

THE NATIONAL PARK SERVICE AGREES:

1. To recognize the Department as the agency with the primary responsibility to manage fish and resident wildlife within the State of Alaska.
2. To recognize the right of the Department to enter onto Service lands after timely notification to conduct routine management activities which do not involve construction, disturbance to the land, or alterations of ecosystems.
3. To manage the fish and wildlife habitat on Service lands so as to ensure conservation of fish and wildlife populations and their habitats in their natural diversity.

(copy)

4. To cooperate with the Department in planning for management activities on Service lands which require permits, environmental assessments, compatibility assessments, or similar regulatory documents by responding to the Department in a timely manner.
5. To consider carefully the impact on the State of Alaska of proposed treaties or international agreements relating to fish and wildlife resources which could diminish the jurisdictional authority of the State, and to consult freely with the State when such treaties or agreements have a significant impact on the State.
6. To review Service policies in consultation with the Department to determine if modified or special policies are needed for Alaska.
7. To adopt Park and Preserve management plans whose provisions are in substantial agreement with the Department's fish and wildlife management plans, unless such plans are determined formally to be incompatible with the purposes for which the respective Parks and Preserves were established.
8. To utilize the State's regulatory process to the maximum extent allowed by Federal law in developing new or modifying existing Federal regulations or proposing changes in existing State regulations governing or affecting the taking of fish and wildlife on Service lands in Alaska.
9. To recognize the Department as the primary agency responsible for policy development and management direction relating to subsistence uses of fish and wildlife resources on State and Service lands, pursuant to applicable State and Federal laws.
10. To consult and cooperate with the Department in the design and conduct of Service research or management studies pertaining to fish and wildlife.
11. To consult with the Department prior to entering into any cooperative land management agreements.
12. To allow under special use permit the erection and maintenance of facilities or structures needed to further fish and wildlife management activities of the Department on Service lands, provided their intended use is not in conflict with the purposes for which affected Parks or Preserves were established.

(copy)

THE DEPARTMENT OF FISH AND GAME AND THE NATIONAL PARK SERVICE
MUTUALLY AGREE:

1. To coordinate planning for management of fish and wildlife resources on Service lands so that conflicts arising from differing legal mandates, objectives, and policies either do not arise or are minimized.
2. To consult with each other when developing policy, legislation, and regulations which affect the attainment of wildlife resource management goals and objectives of the other agency.
3. To provide to each other upon request fish and wildlife data, information, and recommendations for consideration in the formulation of policies, plans, and management programs regarding fish and wildlife resources on Service lands.
4. To recognize that the taking of fish and wildlife by hunting, trapping, or fishing on certain Service lands in Alaska is authorized in accordance with applicable State and Federal law unless State regulations are found to be incompatible with documented Park or Preserve goals, objectives or management plans.
5. To recognize for maintenance, rehabilitation, and enhancement purposes, that under extraordinary circumstances the manipulation of habitat or animal populations may be an important tool of fish and wildlife management to be used cooperatively on Service lands and waters in Alaska by the Service or the Department when judged by the Service, on a case by case basis, to be consistent with applicable law and Park Service policy.
6. That implementation by the Secretary of the Interior of subsistence program recommendations developed by Park and Park Monument Subsistence Resource Commissions pursuant to ANILCA Section 808(b) will take into account existing State regulations and will use the State's regulatory process as the primary means of developing Park subsistence use regulations.
7. To neither make, nor sanction any introduction or transplant any fish or wildlife species on Service lands without first consulting with the other party and complying with applicable Federal and State laws and regulations.
8. To cooperate in the development of fire management plans which may include establishment of priorities for the control of wildfires and use of prescribed fires.

(copy)

9. To consult on studies for additional wilderness designations and in development of regulations for management of wilderness areas on Service lands.
10. To resolve, at field office levels, all disagreements pertaining to the cooperative work of the two agencies which arise in the field and to refer all matters of disagreement that cannot be resolved at equivalent field levels to the Regional Director and to the Commissioner for resolution before either agency expresses its position in public.
11. To meet annually to discuss matters relating to the management of fish and wildlife resources on, or affected by, Service lands.
12. To develop such supplemental memoranda of understanding between the Commissioner and the Regional Director as may be required to implement the policies contained herein.
13. That the Master Memorandum of Understanding is subject to the availability of appropriated State and Federal funds.
14. That this Master Memorandum of Understanding establishes procedural guidelines by which the parties shall cooperate, but does not create legally enforceable obligations or rights.
15. That this Master Memorandum of Understanding shall become effective when signed by the Commissioner of the Alaska Department of Fish and Game and the Alaska Regional Director of the National Park Service and shall continue in force until terminated by either party by providing notice in writing 120 days in advance of the intended date of termination.
16. That amendments to this Master Memorandum of Understanding may be proposed by either party and shall become effective upon approval by both parties.

(copy)

STATE OF ALASKA
Department of Fish and Game

U.S. DEPARTMENT OF THE INTERIOR
National Park Service

By /s/ Ronald O. Skoog
Ronald O. Skoog
Commissioner

By John E. Cook
John E. Cook
Regional Director, Alaska

Date 14 October 1982

Date October 5, 1982

APPENDIX C: ANILCA 810 EVALUATION, CAPE KRUSENSTERN NATIONAL MONUMENT

I. INTRODUCTION

Section 810(a) of ANILCA states:

In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands under any provision of law authorizing such actions, the head of the Federal agency having primary jurisdiction over such lands or his designee shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency-

(1) gives notice to the appropriate State agency and the appropriate local committees and regional councils established pursuant to section 805;

(2) gives notice of, and holds, a hearing in the vicinity of the area involved; and

(3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps will be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions.

The purposes for which the monument was established and how it shall be managed are presented in ANILCA, section 201(3) (see chapter I). Subsistence uses are to be permitted in conservation system units in accordance with Title VIII of ANILCA.

II. EVALUATION CRITERIA

The potential for significant restriction must be evaluated for effects of the proposed action and alternatives upon "subsistence uses and needs, the availability of other lands for the purposes sought to be achieved and other alternatives which would reduce or eliminate the use." Restriction on subsistence use would be significant if there were large reductions in the abundance of harvestable resources, major redistributions of those resources, or substantial interference with harvester access to active subsistence sites.

After evaluating the proposals and recommendations in the Draft General Management Plan for Cape Krusenstern National Monument against the criteria, an evaluation of significance to subsistence activities can be made.

1. Whether there is likely to be a reduction in subsistence uses because of
 - (a) factors such as direct impacts on the resource, adverse impacts on habitat, or increased competition from nonrural harvesters
 - (b) changes in availability of resources caused by an alteration in their distribution, migration, or location
 - (c) limitations on the access to harvestable resources, such as by physical or legal barriers
2. The availability of the lands that could be used for the proposed action, including an analysis of existing subsistence uses of those lands; and
3. Alternatives that would reduce or eliminate the proposed action from lands needed for subsistence purposes.

III. PROPOSED ACTION ON FEDERAL LANDS

The National Park Service will implement a general management plan for Cape Krusenstern National Monument that would guide management of the area for the next 10 years. The plan presents proposals for the management of natural resources, cultural resources, visitor use and development, subsistence, and administration.

IV. ALTERNATIVES CONSIDERED

Two alternatives were considered in the Draft General Management Plan. This final plan is primarily based upon alternative 1, the preferred alternative. Minor modifications in the plan have been made in the preparation of this final plan.

V. AFFECTED ENVIRONMENT

As described in the subsistence use section in chapter II, the monument is part of a much broader area used by local residents for subsistence activities. Although a few activities are relatively specific to the monument, most subsistence pursuits take place throughout a broad area without regard to political boundaries. Primary users of the monument are Inupaiq Eskimos who reside in the villages of Kivilina, Noatak, Kotzebue, and Sheshalik, a small settlement developing on native-owned lands at Sheshalik Spit. All use the monument at various times for hunting, fishing, trapping, and gathering. Wood taken from the beaches and from the limited stands of spruce in the monument provide fuel for heating homes during the long cold winters.

VI. EVALUATION

In the determination of potential restrictions on existing subsistence activities, the evaluation criteria were analyzed relative to existing subsistence resources that could be impacted. The Draft General Management Plan/Environmental Assessment describes the total range of potential impacts that may occur. This section discusses any possible restrictions to subsistence activities.

The Potential to Reduce Populations, Adversely Impact Habitat, or Increase Competition from Nonrural Harvesters

No significant declines in populations would result from implementation of the plan. The National Park Service will continue to manage fish and wildlife species consistent with ANILCA, the master memorandum of understanding with the Alaska Department of Fish and Game, and NPS policies (see appendix B).

Conclusion: Implementation of the plan will not result in a reduction in the population of any harvestable resource, significantly impact habitat, or increase competition from nonrural harvesters.

Availability of Subsistence Resources

The distribution, migration patterns, and location of subsistence resources are expected to remain essentially the same.

Conclusion: The plan will not result in significant changes in the availability of resources caused by an alteration in their distribution, migration, or location.

Restriction of Access

Access to the monument for subsistence purposes is guaranteed by section 811 of ANILCA. Regulations implementing section 811 are already in place, and neither of the alternatives proposes changes in those regulations.

Conclusion: Neither of the alternatives would result in limitations on access to harvestable resources.

Availability of Other Lands for the Proposed Action

There are no other lands available for this action because the monument boundaries were established by Congress to achieve specific purposes. There are, however, lands outside the monument that are available for subsistence uses. The plan is consistent with the mandates of ANILCA and the National Park Service organic act.

Alternatives

No alternatives that would reduce or eliminate the proposed actions from lands needed for subsistence purposes were identified because preparation of a general management plan is required by ANILCA and the plan is consistent

with provisions of ANILCA related to subsistence. In addition, it is possible for subsistence users to utilize other lands outside the monument, and they do. Subsistence users utilize the lands most easily accessible that can provide for their needs and extend their activities to other areas on an "as needed" basis.

VII. CONSULTATION AND COORDINATION

The Alaska Department of Fish and Game and the NANA Coastal Resources Service Area Board were consulted throughout preparation of this plan. Further information is contained in the "Consultation and Coordination" section of the draft plan.

VIII. FINDINGS

Based upon the evaluation process, the National Park Service concludes that the plan would not result in significant restrictions of subsistence uses within Cape Krusenstern National Monument.

APPENDIX D: COMPLIANCE WITH OTHER LAWS, POLICIES, AND EXECUTIVE ORDERS

This appendix provides a reference to many applicable laws, executive orders, and policies that should be complied with in the general management plan for Cape Krusenstern National Monument.

Natural Environment

Clean Air Act, Clean Water Act: Actions in the plan would not affect air or water quality within the monument. All NPS facilities would meet or exceed standards and regulations for proper waste disposal established by the Environmental Protection Agency and the Alaska Department of Environmental Conservation.

Rivers and Harbors Act: Any permits required from the U.S. Army Corps of Engineers for work in navigable waters of the United States would be obtained.

Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands): Because no floodplain mapping exists for the monument, the National Park Service would assume worst-case conditions for placement of facilities. Development of any new facilities would be preceded by site-specific analyses. No proposal would affect wetlands within the monument.

Because there is little or no human habitation along the rivers in the monument, the Corps of Engineer does not consider floodplain mapping within the preserve a high priority in Alaska.

Prime and Unique Agricultural Lands: No arable lands have been identified within the monument.

Safe Drinking Water Act: The plan does not propose to provide any public drinking water within the monument.

Endangered Species Act: Pursuant to section 7 of the Endangered Species Act, the U.S. Fish and Wildlife Service was contacted in March 1984 for a list of threatened and endangered plant and animal species that might occur within the monument. In their response of March 28, 1984, the Fish and Wildlife Service stated that nesting by arctic peregrine falcons has been reported within the southern half of the monument. Although the total extent of nesting is unclear, the area is not considered to be one of the more important peregrine nesting areas. Additionally, Cominco Alaska Inc. consultants have, in their environmental studies for the proposed Red Dog Mine, noted the existence of arctic peregrine falcons near to the northern boundary of the monument.

As appropriate, consultation with the U.S. Fish and Wildlife Services will continue.

Protection of Waters Important to Anadromous Fish (Alaska Statutes Title 16): The Alaska Anadromous Fish Act (Stat. 16.05.870) provides protection to specific rivers, lakes, and streams or parts of them that are important for

the spawning, rearing, or migration of anadromous fish. The Noatak River and many portions of its tributaries are on the list of specific rivers that any person, organization, or governmental agency proposing construction that involves or uses one of the above water bodies must notify the commissioner of the ADF&G of this intention. Approval must be received from ADF&G before beginning such construction or use.

Hunting, Trapping, and Fishing: These uses, whether for sport or subsistence, are subject to state regulations. The National Park Service has by reference adopted state regulations so that concurrent enforcement can occur within the monument.

Alaska Coastal Management Program: A consistency determination has been prepared pursuant to the Alaska Coastal Management Act of 1977, as amended (see appendix A). Based on the findings of the consistency determination, the National Park Service has determined that the plan is consistent with the Alaska Coastal Management Program.

Marine Protection Research and Sanctuaries Act, Estuary Protection Act, Marine Mammal Protection Act: Projected visitor use levels and forms of human activity within the monument are not expected to significantly impact ecological systems, marine environments, or human health. Proposed actions comply with the Marine Protection Research and Sanctuaries Act of 1972 (16 USC 1451 et seq.). Proposals would not impact estuarine resources or marine mammal populations and are in compliance with the protection and conservation tenets as provided in the Estuary Protection Act (16 USC 1221) and the Marine Mammal Protection Act (16 USC 1361 et seq.).

Cultural Resources

On April 12, 1985, the National Park Service provided copies of the Draft General Management Plan/Environmental Assessment to the Advisory Council on Historic Preservation (ACHP) for their review and comment. On September 19, 1985, the regional director was notified that the document does not qualify for inclusion under the programmatic memorandum of agreement (PMOA) between the ACHP, National Park Service, and the National Conference of State Historic Preservation Officers. The general management plan did not present cultural resource information in sufficient scope and detail to allow for substantive ACHP review and section 106 compliance under the PMOA. Therefore, pursuant to section 106 of the National Historic Preservation Act, as amended in 1980, and until more specific planning documents are developed, the National Park Service will continue to consult with the Alaska State Historic Preservation Office and the ACHP on a case-by-case basis prior to implementing any action under the general management plan that may affect cultural resources.

Antiquities Act, Historic Sites Act, National Historic Preservation Act, Archeological Resources Protection Act: All actions will be in full compliance with appropriate cultural resource laws. All proposals and activities affecting or relating to cultural resources will be developed and executed with the active participation of professional archeologists, historians, anthropologists, and historical architects, in accordance with National Park Service "Management Policies" and "Cultural Resource Management

Guidelines" (National Park Service-28). No undertaking that would result in the destruction or loss of known significant cultural resources is proposed in this plan.

In accordance with the September 1981 amendment to the 1979 programmatic memorandum of agreement between the National Park Service, the Advisory Council on Historic Preservation, and the National Council of State Historic Preservation Officers, the National Park Service requested the advice and consultation of the Advisory Council and the Alaska State Historic Preservation Officer during the preparation of this plan. A meeting was held in Anchorage in April 1984 with the Alaska State Historic Preservation Officer to discuss coordination and consultation procedures for this plan. A second session, in November 1984, was also held at which time a status report was given to the State Historic Preservation Officer. The Advisory Council was provided a copy of the task directive for this plan. The council and the State Historic Preservation Officer received copies of the draft plan for comment and were invited to attend public meetings.

1982 National Park Service Native American Relationships Policy (derived from American Indian Religious Freedom Act of 1978): A thorough effort has been made to identify all native corporations and local native American groups and individuals who would be interested in participating in this planning effort and who have traditional ties with the monument. The planning team has met with representatives of these groups at various stages of the plan's development. These individuals and groups have been placed on the mailing list and will continue to be consulted, invited to all public meetings, and sent copies of all public information documents for review and comment.

The Museum Act of 1955 (69 Stat. 242; 16 USC 18 f)

Socioeconomic Environment

Concessions Policy Act: If the level of use within the monument increases to the point where commercial use licensees are replaced by concession permits, the concession permits or contracts would be issued in accordance with this act.

Achitectural Barriers Act: All public facilities in the monument and those in Kotzebue will to the extent possible be accessible to the handicapped.

APPENDIX E: MANAGEMENT OBJECTIVES

Cultural Resources:

1. For the purposes of the protection of cultural resources, identify and evaluate the monument's prehistorical, historical, and archeological, resources in a manner consistent with National Park Service policy and legislative and executive requirements.
2. Work toward the establishment of programs for the collection of information and data about the historical and cultural resources so that they are properly managed and preserved.
3. Devise plans so that public visitation, research, commercial fishing, mining, subsistence uses, and other activities do not impair cultural resources or their setting.
4. Assemble cultural resources information, including oral and written materials, to be used in interpretive programs for the enjoyment and education of visitors.
5. Encourage and assist private landowners within the monument and individuals, groups, and native corporations in surrounding communities to protect and preserve cultural resources and the cultural heritage of the region.
6. In accordance with the provisions of section 1304 of ANILCA, devise a plan for identifying significant archeological and paleontological sites that are closely associated with and might be added to the monument but are presently outside the monument's boundary.
7. Prepare a scope of collections statement to serve as a guide for the staff of the monument to acquire museum objects.
8. Encourage and support research activities by professionally qualified individuals, groups, and institutions for the identification and evaluation of further cultural resources within the monument and region.
9. Devise programs for compiling information on the cultural patterns--including current subsistence activities--of contemporary Eskimos in the region.

Natural Resources

1. Manage natural resources to perpetuate ecological processes and systems.
2. Collect information and data about the fluctuating population cycles of certain wildlife and their impacts so that managers of the monument have a basis for making decisions that will allow natural forces to interact as freely as possible and thereby determine the shapes and substances of the environment.

3. Consider man, particularly the subsistence user, an integral part of the monument's total ecosystem and encourage his living in harmony with the other parts so as to maintain natural balances.
4. Develop and implement plans to provide for the adequate protection of natural wildlife and their habitats and at the same time accommodate subsistence hunting, trapping, fishing, and gathering as provided by ANILCA.
5. Preserve natural features and ecological relationships essential for the perpetuation of representative natural biotic communities in this arctic environment.
6. Encourage and assist private landowners and users of monument resources to protect the natural feature of the area.
7. Annually update the resources management plan to determine projects and studies necessary to provide information and data needed for the protection of natural resources.

Visitor Use and Interpretation:

1. Study and inventory recreational resources as a basis for providing visitors with informational materials, programs, and services to enhance their opportunities for enjoyable, educational, and safe ways to see and experience the cultural and natural resources without adversely impacting them.
2. Devise plans in accordance with the provisions of ANILCA to accommodate subsistence users, guided by management's concerns about and responsibilities to maintain the quality of wildlife habitat and natural and healthy populations of wildlife.
3. Provide information services and interpretive programs at the headquarters in Kotzebue to enhance visitor opportunities to understand, appreciate, and enjoy resources of the monument. Specifically these services and programs would focus on the interaction of natural processes and the development of Eskimo culture; geological phenomena such as the beach ridges; Cape Krusenstern; glacial and permafrost features; archeological discoveries and the potential for more; and the role of subsistence activities in the ecosystem.

Visitor Protection and Safety:

1. Devise procedures and programs to inform the public about the inherent dangers in this arctic environment and develop safety measures for the purpose of preventing injuries to visitors.
2. Employ and develop a staff of well-trained, well-equipped field personnel to operate effectively in emergencies in both matters of search and rescue and law enforcement.

3. Devise procedures for providing visitors with such safety measures as reports of weather and other conditions, information about visitor contact points and possible shelters, emergency message systems, and that subsistence activities occur in the monument.
4. Work toward accomplishing cooperative agreements with qualified groups or individuals for the purpose of establishing procedures that will provide visitors with maximum protection and safety.

Development of Facilities:

1. Study the feasibility of and need for development of public contact points and or ranger stations to facilitate management and operations and provide for visitor services.
2. Should development be feasible and necessary, undertake projects that blend into the natural and cultural setting and use equipment and materials that conserve energy and other resources and protect the environment.
3. Observe and collect data on visitor uses for the purposes of determining the feasibility of and need for constructing primitive campsites, primitive shelters, and access points.
4. Elicit the cooperation of private landowners in the monument to undertake construction and development that recognize and respect the natural and cultural integrity of the monument and the needs of visitors, and encourage as much as possible that visitor accommodations and bases of operations be developed outside the monument boundary.

Concessions:

1. Identify appropriate levels and types of commercial services feasible for providing visitor services and issue concessions contacts, permits, and commercial use licenses as appropriate to those best able to meet the needs of visitors and protect resources as provided for in ANILCA.
2. Establish programs to collect data on public use and needs and make this information available to potential concessioners so that accommodations and services are the results of public needs and are compatible with proper management of monument resources.

Administration:

1. Provide adequate staff for visitor services and to perpetuate the resources of the monument.
2. Prepare and update planning documents to guide management in making appropriate administrative decisions.
3. Conduct, sponsor, and encourage continuing studies and other information-gathering methods focused on cultural and natural resources

and visitor uses so that management has an increasing data base upon which to make decisions.

4. Locate sites when and where necessary for administrative efficiency, visitor contact, interpretive services, patrol operations, conducting cooperative search-and-rescue missions, and cooperative resources management programs.
5. Study the feasibility of establishing management units or zones for the purpose of streamlining managerial responsibilities regarding visitor services and the use and perpetuation of resources.
6. Meet staffing objectives that take into account the knowledge and skills of cultural resources, local persons, and the physical demands of working under severe environmental conditions.
7. Accomplish and keep current a regional fire management plan in cooperation with federal and state agencies and private landowners.
8. Accommodate legally mandated transportation systems in accordance with ANILCA and other applicable laws.

Cooperative Planning:

1. Develop cooperative management programs with managers of adjoining lands and waters and private landowners within the monument to protect viable populations of wildlife, biotic communities, and/or associations and historical and cultural resources; arrive at a practical means for dealing with refuse and garbage disposal; develop essential services for the protection of human life and the resources of the area; and promote compatible complementary uses of adjacent lands and waters.
2. Work toward arriving at cooperative agreements with native groups and corporations, special interest groups, local governments, state and federal agencies, and the USSR in cultural and natural sciences research and programs.
3. Establish working agreements with private interests, local government, and state and federal agencies for the purpose of developing feasible community and regional plans, and further to involve local native residents and native organizations in developing educational programs to inform visitors about native culture and lifestyles.

APPENDIX F: NATIONAL PARK SERVICE PLANNING PROCESS

ANILCA REQUIREMENTS

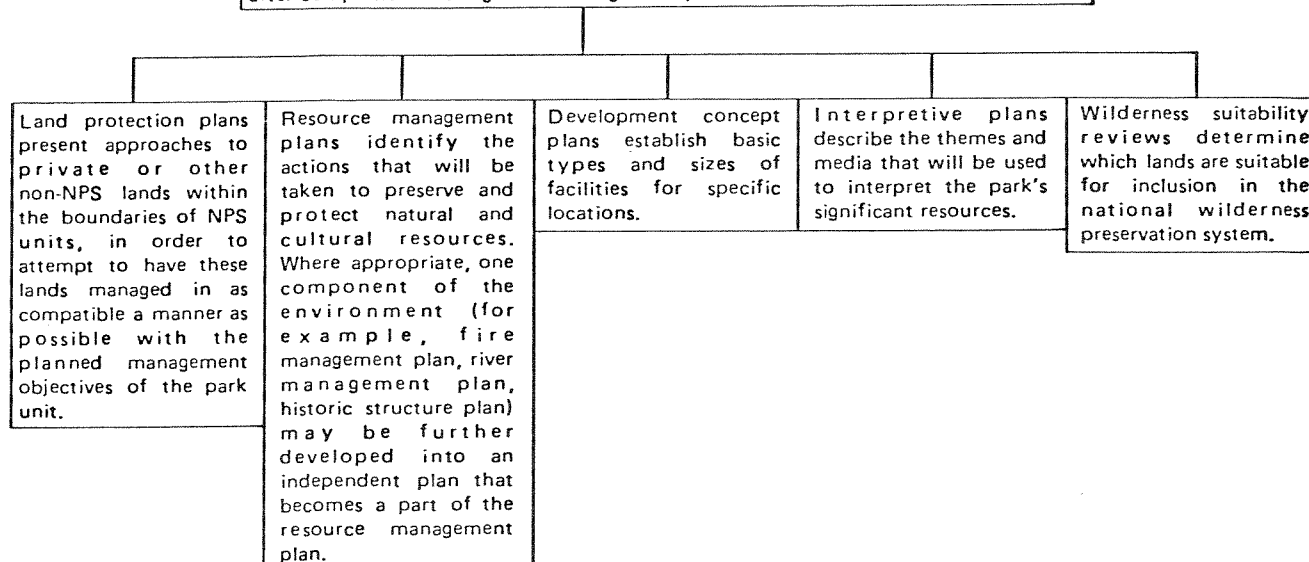
Section 1301 of the Alaska National Interest Lands Conservation Act (ANILCA: PL 96-487) requires the preparation of conservation and management plans for each unit of the national park system established or enlarged by ANILCA. These plans are to describe programs and methods for managing resources, proposed development for visitor services and facilities, proposed access and circulation routes and transportation facilities, programs and methods for protecting the culture of local residents, plans for acquiring land or modifying boundaries, methods for ensuring that uses of private lands are compatible with the purposes of the unit, and opportunities for mutually beneficial cooperation with other regional landowners.



NPS PLANNING DOCUMENTS

The National Park Service planning process for each park (preserve, monument, or other unit of the system) involves a number of stages, progressing from the formulation of broad objectives, through decisions about what general management direction should be followed to achieve the objectives, to formulation of detailed actions for implementing specific components of the general management plan.

The general management plan addresses topics of resource management, visitor use, park operations, and development in general terms. The goal of this plan is to establish a consensus among the National Park Service and interested agencies, groups, and individuals about the types and levels of visitor use, development, and resource protection that will occur. These decisions are based on the purpose of the park, its significant values, the activities occurring there now, and the resolution of any major issues surrounding possible land use conflicts within and adjacent to the park. The following kinds of detailed action plans are prepared concurrently with or after completion of the general management plan.



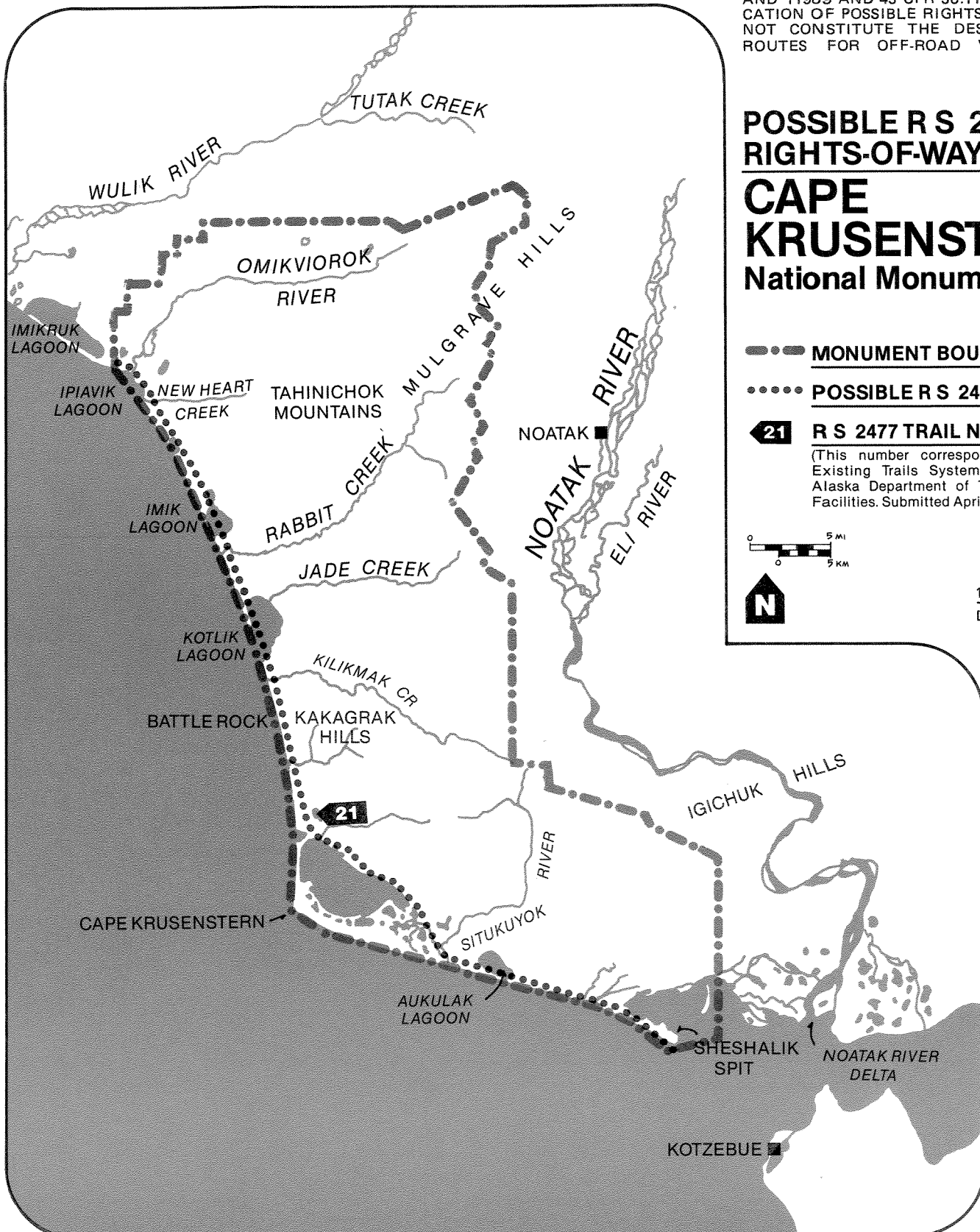
Depending largely on the complexity of individual planning efforts, action plans may or may not be prepared simultaneously with the general management plan. If they are prepared after the general plan, the NPS public involvement and cooperative planning efforts are continued until all of the implementation plans are completed.

APPENDIX G: POSSIBLE RS 2477 RIGHTS-OF-WAY

THIS MAP DOES NOT ESTABLISH THE VALIDITY OF THESE POTENTIAL RIGHTS-OF-WAY AND DOES NOT PROVIDE THE PUBLIC THE RIGHT TO TRAVEL OVER THEM. THIS MAP HAS BEEN PROVIDED BY THE STATE TO ILLUSTRATE RIGHTS-OF-WAY THAT THE STATE HAS IDENTIFIED AND CONTENDS MAY BE VALID UNDER RS 2477. THE USE OF OFF-ROAD VEHICLES IN LOCATIONS OTHER THAN ESTABLISHED ROADS OR DESIGNATED ROUTES IN UNITS OF THE NATIONAL PARK SYSTEM IS PROHIBITED (E.O. 11644 AND 11989 AND 43 CFR 36.11(g)). IDENTIFICATION OF POSSIBLE RIGHTS-OF-WAY DOES NOT CONSTITUTE THE DESIGNATION OF ROUTES FOR OFF-ROAD VEHICLE USE.

POSSIBLE R S 2477 RIGHTS-OF-WAY

CAPE KRUSENSTERN National Monument



--- MONUMENT BOUNDARY

.... POSSIBLE R S 2477 TRAIL

21 R S 2477 TRAIL NO.

(This number corresponds to the Alaska Existing Trails System. Source: State of Alaska Department of Transportation/Public Facilities. Submitted April 1974.)

0 5 MI
0 5 KM



183 | 20017
DSC | JAN 87

APPENDIX H: LAND PROTECTION PLAN, METHODS OF ACQUISITION

Primary methods of acquisition of fee-simple and less-than-fee interests in lands are donation, purchase, exchange, and relinquishment. Discussion of these methods follows:

Donation: Landowners may want to donate their land or specific interests in their land to achieve conservation objectives. Tax benefits of a donation could also be an important incentive to some people. Donations of fee-simple title are deductible from taxable income. Easement donations also may provide deductions from taxable income but are subject to certain Internal Revenue Service requirements to qualify as a charitable contribution.

Landowners are encouraged to consult qualified tax advisors to discuss the detailed advantages of donations. National Park Service representatives may be able to provide some general examples of tax advantages but cannot provide tax advice or commitments of what deductions would be allowed by the Internal Revenue Service.

Exchange: Land or interests in land may be acquired by exchange. The land to be exchanged must be located in Alaska and must be of approximately equal value. Any small differences in value may be resolved by making cash payments. However, exchanges may be made for other-than-equal value if the secretary determine it is in the public interest (section 1302(h) of PL 96-487).

The National Park Service will also consider other federal lands within the authorized boundary as potential exchange land to consolidate National Park Service management.

The National Park Service will also work with the Bureau of Land Management and the General Services Administration to determine if any additional federal land may be available for exchange purposes.

Purchase: Acquisition by purchase requires funds to be appropriated by Congress or donated from private sources. Funding for purchases depends primarily on future appropriations. Potential donations of funds or purchases by individuals or organizations interested in holding land for conservation purposes would be encouraged.

Relinquishment: State and native corporation land applications may be relinquished resulting in retention of the lands in fee ownership by the National Park Service.

APPENDIX J: DEFINITION OF TRADITIONAL

In applying the provisions of ANILCA as related to "means of surface transportation traditionally employed" (section 811) and "the use of snowmachines . . . , motorboats, airplanes, and nonmotoried surface transportation methods for traditional activities" (section 1110), the National Park Service has relied on the following definitions of "tradition(al)" from Webster's Third New International Dictionary of the English Language (unabridged), 1976:

2. The process of handing down information, opinions, beliefs, and customs by word of mouth or by example: transmission of knowledge and institution through successive generations without written instruction . . .

3. An inherited or estalished way of thinking, feeling, or doing; a cultural feature (as an attitude, belief, custom, institution) preserved or evolved from the past; usage or custom rooted in the past (as of a family or nation); as a (1) a doctrine or practice or a body of doctrine and practice preserved by oral transmission (2) a belief or practice or the totality of beliefs and practices not derived directly from the Bible . . .

5.a. Cultural continuity embodied in a massive complex of evolving social attitudes, beliefs, conventions, and institutions rooted in the experience of the past and exerting an orienting and normative influence on the present. b. the residual elements of past artistic styles or periods.

The National Park Service recognizes that it would be valuable to pursue, with those affected, the refinement of this definition in the context of the legislative history. In the interim the National Park Service will continue to use this definition in applying the above-referenced provisions of ANILCA. In order to qualify under ANILCA, a "traditional means" or "traditional activity" has to have been an established cultural pattern, per these definitions, prior to 1978 when the unit was established.

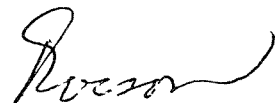
APPENDIX K: FINDING OF NO SIGNIFICANT IMPACT

The National Park Service is proposing to implement the final general plan and land protection plan for Cape Krusenstern National Monument. The general management plan is intended to guide the management of the monument for a period of 10 years and addresses all the major topics of management, including resources, management, general public use, subsistence, access, and development. The land protection plan is reviewed, and revised as necessary, every two years, and presents proposals for the nonfederal land within and near the monument.

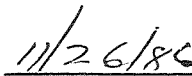
A Draft General Management Plan/Land Protection Plan/Wilderness Suitability Review/Environmental Assessment was distributed to the public in the spring of 1985, and comments were accepted until the end of August. A subsequent revised draft was distributed for 60-day public comment period in December of 1985.

The environmental assessment analyzed the impacts of two alternative management strategies for the monument, including the impacts on wildlife, vegetation, cultural resources, monument operations, and the local economy. It was determined that the proposal will cause no adverse impacts on the public health, public safety, or rare or endangered species. No highly uncertain or controversial impacts, or significant cumulative effects, were identified. Any negative environmental effects will be minor and temporary. The proposal will result in positive effects upon natural and cultural resources within the monument as a result of natural resource research and monitoring and through cultural resource identification and protection. Complete evaluation of impacts resulting from the proposal and alternatives can be found in the Draft General Management Plan/Land Protection Plan/Wilderness Suitability Review/Environmental Assessment (March 1985).

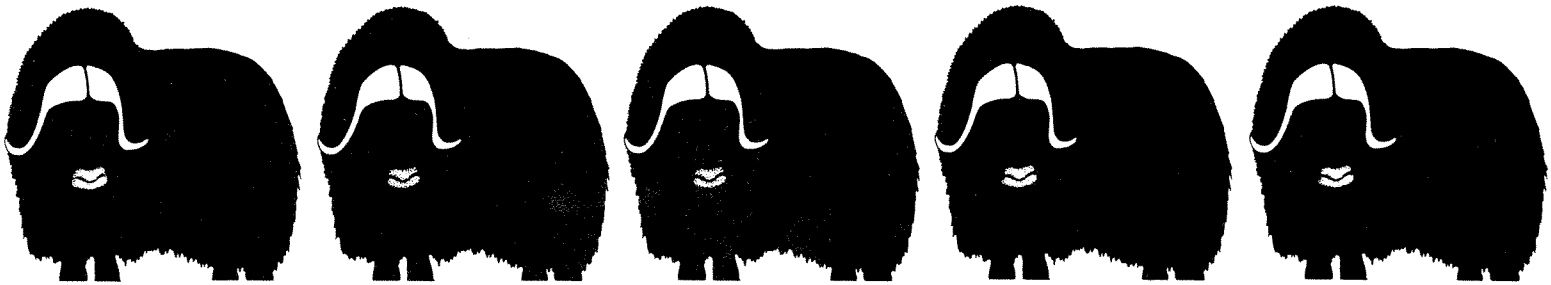
Based on the environmental analysis and public and agency comment on the proposed plans, I have determined that the proposed federal action will not significantly affect the quality of the human environment, and therefore an environmental impact statement will not be prepared.



Regional Director, Alaska Region



Date



BIBLIOGRAPHY

BIBLIOGRAPHY

ALASKA COASTAL ZONE MANAGEMENT PROGRAM

"Waterfowl, Mammals and Fish Map." Scale 1:500,000.

ALASKA DEPARTMENT OF FISH AND GAME

1973 Alaska's Wildlife and Habitat. Anchorage, Alaska.

1978 Alaska's Fisheries Atlas, Vols. I and II. Anchorage, Alaska.

1981 "Survey Inventory Progress Reports" (for major species), Game Management Unit 23. Kotzebue, Alaska.

1982 "Resource Management Recommendations for Cape Krusenstern National Monument." Anchorage, Alaska.

1982 "Survey Inventory Progress Reports" (for major species). Kotzebue, Alaska.

1983a "Survey Inventory Progress Reports" (for major species). Kotzebue, Alaska.

1983b "Federal Aid in Fish Restoration and Anadromous Fish Studies." De Cicco and Alt, Volume 24.

1984 "Western Arctic Caribou Herd: Strategic Management Plan", Fairbanks, Alaska

1985 "Moose Demography Aerial Survey of the Middle Noatak River Valley, Late Winter 1985," by James, David E. (ADF&G) and Cannon, Kate (NPS).

ANDERSON, DOUGLAS

1977 Archaeological Surveys of the Proposed Cape Krusenstern and Kobuk National Monument. Report on file at National Park Service, Alaska.

1981 "Ancient Peoples of the Kotzebue Basin." In "Kotzebue Basin," Alaska Geographic, 8(3):52-59.

BUREAU OF CENSUS, U.S DEPARTMENT OF COMMERCE

1981 1980 Census of Population, Number of Inhabitants, Alaska (PC 80-1-A3).

BUREAU OF LABOR STATISTICS, U.S. DEPARTMENT OF LABOR

1981-3 Historical Report on Labor Force and Employment, Kobuk Division, Alaska.

- CANNON, P.J.
 1978 "The Environmental Geology and Geomorphology of the Coastal Zone of Kotzebue Sound and the Chukchi Sea Forelands From Cape Prince of Wales to Cape Lisburne." University of Alaska, Fairbanks.
- CITY OF KOTZEBUE
 1971 Comprehensive Development Plan. Prepared by the Alaska State Housing Authority. Anchorage, Alaska.
- COMINCO LTD.
 1984 "Red Dog: New Frontiers in Alaska." Toronto, Ontario.
- COMINCO ALASKA, INC.
 1983 "Environmental Baseline Studies, Red Dog Mine Project." Dames and Moore, January 1983.
- DAMES & MOORE
 1983 Environmental Baseline Studies - Red Dog Project. Prepared for Cominco Alaska, Inc.
 1984 "Supplement to Environmental Baseline Studies, Red Dog Mine Project."
- DARBYSHIRE AND ASSOCIATES
 1982 NANA Coastal Resource Service Area Coastal Management Plan. Prepared for the NANA Coastal Resource Service Area Board.
 1983 NANA Coastal Resource Service Area Coastal Management Program, (Natural Systems Inventory and Analysis, Science Applications, Bellevue, Washington). Anchorage, Alaska.
- DAVIS
 1980 Status of Rangifer in the USA. Fairbanks, Alaska.
- FISH AND WILDLIFE SERVICE, U.S. DEPARTMENT OF THE INTERIOR
 1982 Opportunities to Protect Instream Flow, by Mary White, July 1982.
 1984 Memo from USFWS Regional Director, Anchorage, regarding rare and endangered species encountered in northwest Alaska areas.
- FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE
 1972 Alaska Trees and Shrubs, by L.A. Viereck and E.L. Little, Agriculture Handbook No. 410. Washington, D.C.
 1974 Guide to Alaska Trees, by L.A. Viereck and E.L. Little, Agriculture Handbook No. 472. Washington, D.C.
- GEOLOGICAL SURVEY, U.S. DEPARTMENT OF THE INTERIOR
 1965 Physiographic Divisions of Alaska, by C. Wahrhaftig, Geological Survey Professional Paper 482. Washington, D.C.

- GIDDINGS, J.C.
1967 Ancient Man of the Arctic. Alfred Knopf, N.Y.
- HABER, G.C. AND C.J. WALTERS
1980 Dynamics of the Alaska-Yukon Caribou Herds and Management Implications, Anchorage Community College. Anchorage, Alaska.
- HALL, EDWIN JR.
1983 A Cultural Resource Site Reconnaissance Performed in Conjunction with Development of the Red Dog Mine in Northwestern Alaska. Technical Memoranda #1 and #5. Edwin Hall and Associates, Rockport, N.Y.
- HENNING, R.A., B. OLDS, L. MORGAN, P. RENNICK
1981 The Kotzebue Basin: Alaska Geographic Society, Vol. 8, No. 3. Anchorage, Alaska.
- HOPKINS, D.
1967 The Bering Land Bridge. Stanford University Press, California.
1982 Paleoecology of Beringia. Academic Press, N.Y.
- HOPKINS, D.M.
1977 "Coastal Processes and Coastal Erosional Hazards to the Cape Krusenstern Archeological Site." Menlo Park, California.
1977 "Notes on the Quaternary Geology and Geomorphology of the Proposed Cape Krusenstern National Monument and Adjoining Regions." Menlo Park, California.
- JOHNSON, M.L., C.H. FISCUS, B.T. OSTENSON, AND M.S. BARBOUR
1966 "Environment of the Cape Thompson Region, Alaska." U.S. Atomic Energy Commission, Division of Technical Information. Washington, D.C.
- MANIILAQ ASSOCIATION
1983 "Subsistence in Northwest Alaska," a collection of recent publications. Kotzebue, Alaska.
- NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE
1982 "Local Climatological Data, Kotzebue, Alaska."
- NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR
1974 Final Environmental Impact Statement, Proposed Cape Krusenstern National Monument, prepared by the Alaska planning group. Anchorage, Alaska.
1977 Kuuvanmiit Subsistence: Traditional Eskimo Life in the Latter Twentieth Century, by D.D. Anderson, et al. Washington, D.C.
1981 Proposed Ecological Natural Landmarks in the Brooks Range, Alaska, by Lawrence C. Bliss and Karen M. Gustafson.

1983a Statement for Management: Cape Krusenstern National Monument, by M. Shaver and E. Gibbs. Anchorage, Alaska.

1983b "Dall Sheep Numbers and Distribution in the Noatak National Preserve." Alaska Regional Office (in cooperation with Alaska Department of Fish and Game, Anchorage), by F. Singer (NPS), Johnson D., and Quimby, R. (ADF&G).

1985 "Cape Krusenstern Scope of Collections Statement."

REARDEN, J.

1981 Alaska's Mammals: Alaska Geographic Society. Anchorage, Alaska.

RESOURCE ANALYSTS, FALL CREEK ENVIRONMENTAL, AND ASSOCIATES

1983 Biological Resources and Habitats of the NANA Coastal Resource Service Area. Eagle River, Alaska.

SELKREGG, LIDIA. ALASKA ENVIRONMENTAL INFORMATION AND DATA CENTER

1975 Alaska Regional Profiles, Northwest Region. Anchorage, Alaska.

UHL, W.R. AND C.K. UHL

1980 Tagiumsinaagmiit, Ocean Beach Dwellers of the Cape Krusenstern Area: Subsistence Patterns. University of Alaska, Cooperative Park Studies Unit, Fairbanks, Alaska.

U.S. DEPARTMENT OF STATE

1980 Draft Environmental Impact Statement for Agreement Between the United States and Canada for the Conservation of Migratory Caribou, prepared in cooperation with the U.S. Fish and Wildlife Service (USDI). Washington, D.C.

U.S. NAVY

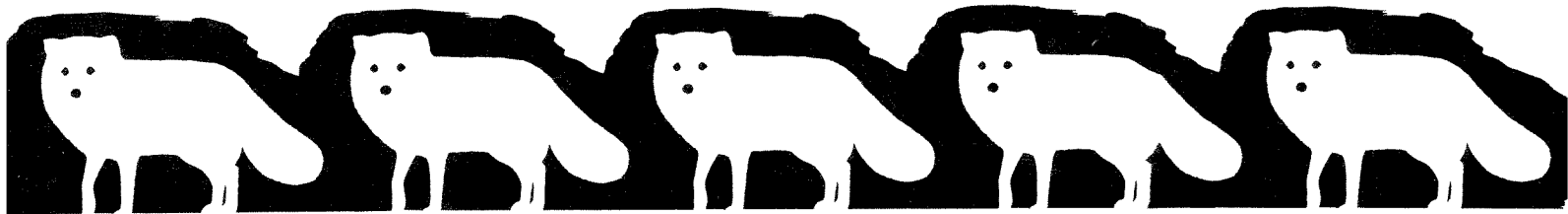
1956 The Dynamic North, Book I: Oceanography of the Arctic, by H.U. Sverdrup, Technical Assistant to Chief of Naval Operations for Polar Projects.

List of Personal Communications

1984 David James, Game Biologist, Alaska Department of Fish and Game, Ambler, Alaska.

1984 C. Mack Shaver, Superintendent, Northwest Areas, National Park Service, Kotzebue, Alaska.

1985 Gibert Alaska Office of Management and Budget to Evison of National Park Service. August 30, 1985.



PLANNING TEAM, CONSULTANTS, & CONTRIBUTORS

PLANNING TEAM MEMBERS, CONSULTANTS, AND CONTRIBUTORS

Planning Team Members

Sanford P. Rabinowitch, Team Captain, Outdoor Recreation Planner/Landscape Architect, Alaska Regional Office (NPS-ARO)

C. Mack Shaver, Superintendent, Northwest Areas, Alaska, NPS

Jonathan B. Halpern, Ecologist, DSC Project Coordinator, Denver Service Center (NPS-DSC)

Kenneth Schoenberg, Archeologist, NPS-ARO

Vaughn L. Baker, Outdoor Recreation Planner, NPS-ARO

Ray Bane, Anthropologist, Northwest areas and Gates of the Arctic National Park and Preserve, NPS

Everett Gibbs, Editor, NPS-ARP

Keith Hoofnagle, Visual Information Specialist, NPS-ARO

Consultants

Linda Nebel, Chief of Planning, NPS-ARO

Chuck Gilbert, Outdoor Recreation Planner, NPS-ARO

Jack Mosby, Outdoor Recreation Planner, NPS-ARO

Lou Waller, Subsistence Specialist, NPS-ARO

C. Davis, Regional Archeologist, NPS-ARO

Debbie Sturdevant, Student Intern, NPS-ARO

David Jervis, Chief Environmental Compliance Division, NPS (Washington, D.C.)

Gerard A. Verstraete, Environmental Compliance Division, NPS (Washington, D.C.)

Cynthia deFranceaux, Program Analyst, Park Planning and Special Studies Division, NPS (Washington, D.C.)

Contributors

The following individuals provided information and or assistance in the formulation of this draft plan.

Don Artgetsinger, Senior Vice President, NANA (Anchorage)

Walter Sampson, Lands Manager, NANA (Kotzebue)

Pat Pourchot, (former) Vice President, NANA (Anchorage)

Willy Goodwin, Lands Manager KIC (Kotzebue)

Bert Adams, City Manager, Kivalina

Dave Weingartner, Planner, Maniilaq Coastal Resource Service Area (Kotzebue)

Matt Conover, (former) Development Director, Maniilaq Association (Kotzebue)

Dave Cline, Alaska Director Audubon Society (Anchorage)

Carl Postman, Resources Development Council (Anchorage)

Richard Stern, Regional Supervisor Alaska Dept. Fish and Game, Subsistence Division (Nome)

Eileen Norbert, Anthropologist, Alaska Department of Fish and Game, Subsistence Division (Kotzebue)

Judith Bittner, State Historic Preservation Officer (Anchorage)

Timothy Smith, Assistant State Historic Preservation Officer (Anchorage)

Stan Leaphart, Executive Director Citizens Advisory Committee on Federal Areas (Fairbanks)

John Issacs, Consultant to Maniilaq CRSA (Anchorage)

Carol Delahaute, City Planner, City of Kotzebue (Kotzebue)

Sally Gibert, CSU Coordinator, State of Alaska (Anchorage)

Bill Beatty, Chief of Planning, Alaska Department of Natural Resources, Division of Land and Water Management (Anchorage)

Randy Cowart, Planner, Alaska Department of Natural Resources, Division of Land and Water Management (Anchorage)

David Hansen, Consultant to Alaska Federation of Natives (Anchorage).

Robert Babson, Attorney/Advisor, U.S. Department of the Interior, Solicitor's Office (Anchorage)

Chris Bockman, Attorney/Advisor, U.S. Department of the Interior, Solicitor's Office (Anchorage)

Keith Goltz, Attorney/Advisor, U.S. Department of the Interior, Solicitor's
Office (Anchorage)

M. Francis Neville, Assistant Attorney General, State of Alaska (Anchorage)

Michael Frank, Assistant Attorney General, State of Alaska (Anchorage)

Typists

Lynda Ehrhart, Planning Secretary, NPS-ARO

Irene Gallegos, Planning Section Secretary, NPS-ARP

As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, and parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

Publication services were provided by the Denver Service Center and the Alaska Regional Office. NPS D-7A December 1986